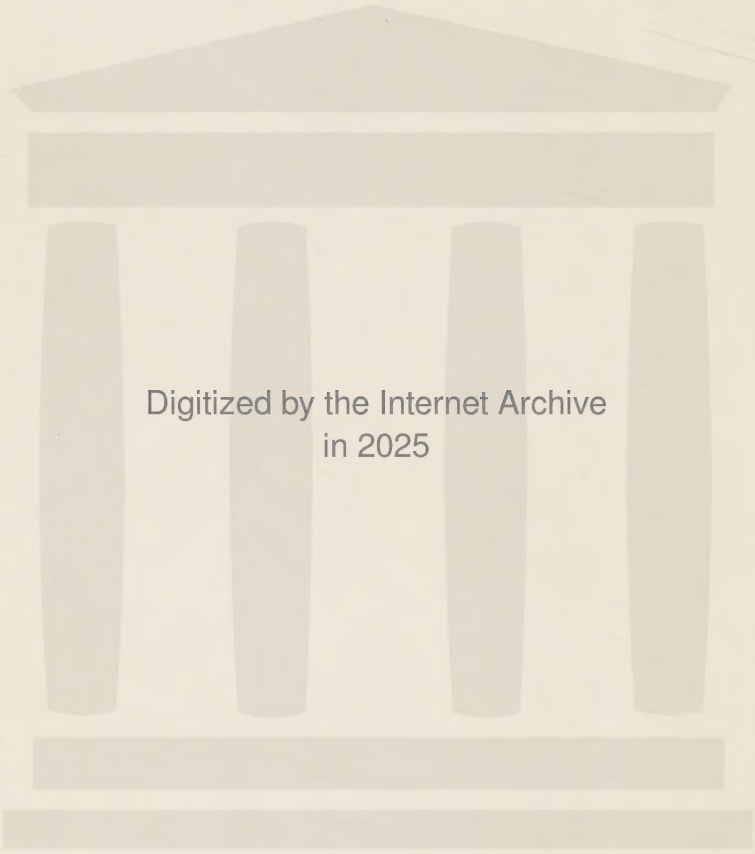
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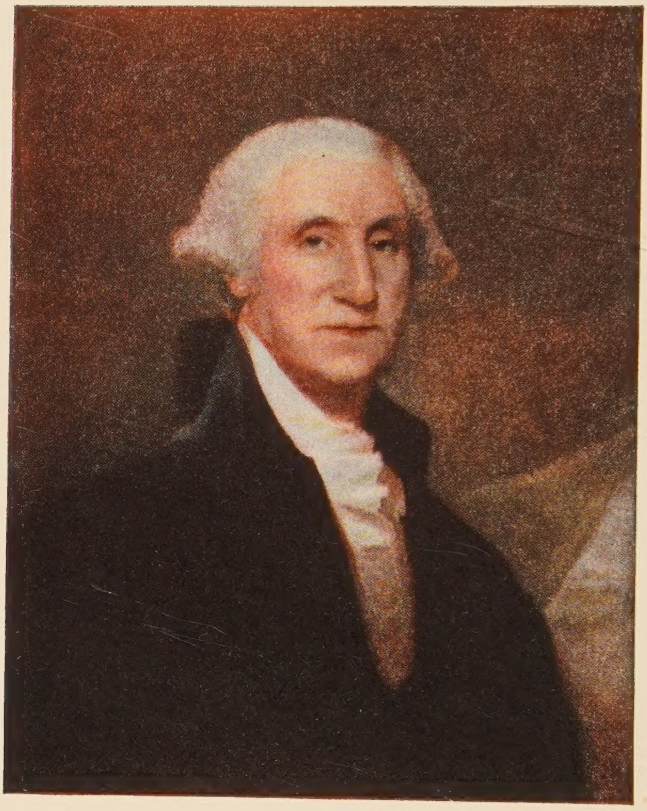

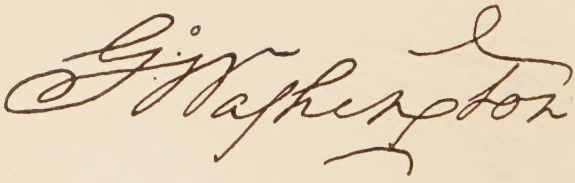

EXITUS ACTA PROBAT

A HISTORY OF THE UNITED STATES AND ITS PEOPLE

FROM THEIR EARLIEST RECORDS TO THE PRESENT TIME

BY

ELROY McKENDREE AVERY

IN SIXTEEN VOLUMES
VOLUME VI

CLEVELAND
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CLEVELAND

PREFACE

THE fifth volume of this work told the story of events that culminated in the declaration of American independence — or how our ancestors got into the Revolutionary war. This volume is an attempt to describe, as clearly as space limitations will permit, the events that were crowded into the period between that immortal declaration and the adoption of our national constitution — or how our patriot sires got out of their eight years' war.

In the preceding volumes, I followed official usage in writing the name of the South Carolina metropolis, Charles Town. By an act of incorporation passed on the thirteenth of August, 1783, the name was changed to Charleston, the form used in the present volume.

My obligation to Dr. Paul L. Haworth, as acknowledged in the prefaces to my fourth and fifth volumes, has been enlarged by his continued assistance. I am also under great obligation to Mr. Albion M. Dyer of the Western Reserve Historical Society for the suggestion of a special study of the history of the Seven Ranges and for able and energetic assistance in the prosecution thereof, and to officials and employees of the general land office at Washington City for many courtesies. To the reviewers and many others who have aided me with criticism and suggestion, and especially to my publishers who, in the matter of illustration, seem determined to push each volume into successful rivalry with its predecessor, I desire to express my grateful appreciation.

ELROY M. AVERY

Cleveland, July, 1909

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Portrait:

A reproduction of the painting by Gilbert Stuart, called the Gibbs-Channing-Avery portrait. This most interesting likeness of Washington is the representative of Washington's first sitting to Stuart in September, 1795. This sitting originated the first type of the Washington portrait by Stuart, showing the right side of his face. All other portraits of this type are very inferior to the Gibbs Washington in individuality of handling and in detail.

In *The Life and Works of Gilbert Stuart* (New York, 1879) Mason says: "The finest [portrait of Washington] beyond all comparison is that formerly owned by Dr. William F. Channing of Providence, R. I. It was painted for Colonel Gibbs and from him passed to his sister, Mrs. Channing." A venerable engraver of a generation ago, A. B. Durand, said of it: "That is a likeness. It is much superior in character to the Athenæum portrait and should be considered a standard."

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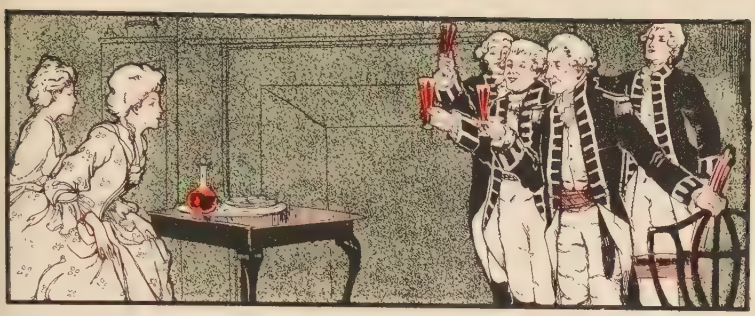
A History of the United States and its People

THE REVOLUTION: 1775–1783

THE CONFEDERATION: 1784–1787



CHAPTER I

THE NEW YORK CAMPAIGN

AFTER the shedding of British blood at Concord and Bunker Hill, George III. was more than ever determined to crush the rebellious colonies by force. National and military pride had been aroused and many in England who, in 1774, had bitterly denounced the ministry felt, in 1775, that the Americans must be chastised. Nevertheless, the war was not yet popular; recruiting proceeded slowly and the people would not endure a conscription; troops must be secured in some other way. George III. was elector of Hanover and the custom of the times pointed to the employment of foreign troops.

Hunting for Help

Germany was now split up into nearly three hundred practically independent states, ranging from great kingdoms like Austria and Prussia down to little principalities too small to be shown upon a map. It had long been the custom of the impecunious princelets who ruled over these petty states to hire out their subjects, and German troops were sometimes arrayed on opposite sides in the same battle. Into this promising market a British agent, Colonel William Faucitt, was sent to buy up food for powder and ball at so many pounds per head. His instructions from the earl of Suffolk were "to get as many as you can. . . . Expense is not so much the object in the present emergency as in ordinary cases."

German Mercenaries

November, 1775

Faucitt met his first success in Brunswick, then governed by an ambitious and extravagant duke and by his

In Brunswick

1776 more thrifty son, Prince Charles William Ferdinand, who had married a sister of George III. Brunswick contained but one hundred and fifty thousand inhabitants and its princes were badly in debt. A treaty was soon
January 9 drawn up whereby the duke was to equip and officer for the king of England a corps of three thousand nine hundred and sixty-four infantry and three hundred and thirty-six unmounted dragoons. The king was to pay the troops and to care for their sick and wounded as if they were his own, and the duke was to receive, as levy money,
7*l.* 4*s.* 4½*d.* thirty crowns banco for every common soldier actually delivered. For the corps, the king was to pay an annual
11,517*l.* 17*s.* 1½*d.* rental as long as it was in service and twice that amount for two years after its return to Brunswick.

The Hessian Bargain

From Brunswick, Faucitt hastened to Hesse-Cassel. This state had double the population of Brunswick and was ruled over by a landgrave, Frederick II., who indulged himself in such expensive luxuries as the cast-off mistress of a French duke, French adventurers, and a French theater with a *corps de ballet*. When Faucitt asked for ten or twelve thousand men, he was agreeably surprised by the offer of a larger number. Without loss of time, a treaty was concluded. The subsidy agreed upon was at the

Uniform of a Hessian Grenadier of Rall's Regiment
(Drawn by Harry A. Ogden)

rate of more than a hundred thousand pounds per year, including one year after the return of the troops. In addition to this, the landgrave received more than forty thousand pounds in payment for hospital expenses in the Seven Years' War, which claim had been rejected by the British government fourteen years before. 1776 108,281*l.* 5*s.*

William, the independent count of Haynau, was the son of the landgrave of Hesse-Cassel by his unfortunate first wife, a sister of George II. When the merry and immoral count had to provide for a natural child, he was accustomed to add a kreutzer (about one cent) to the price of every bag of salt brought by his subjects from the salt-mines. As his acknowledged children of the bar sinister numbered seventy-four, "the poorer of his subjects must have learned to be sparing of their salt." The English king had stationed two Hanoverian battalions in Haynau to insure the independence of the country. In August, 1775, the grateful William had written to his cousin George offering a regiment of infantry, "all sons of the country which your majesty's protection alone assures to me and all ready to sacrifice, with me, their blood for your service." The earl of Suffolk commended "the nobleness of sentiment and affectionate attachment" thus displayed, and Faucitt paid the count a better price for the six hundred and sixty-eight men than he did for any others except those he hired from the count's father. The Haynau Bargain

Faucitt then went outside his royal master's family and leased more men from the prince of Waldeck, the margrave of Ansbach-Bayreuth, and the prince of Anhalt-Zerbst, making with them contracts similar to those previously concluded. Altogether, these principalities furnished about twenty thousand men in 1776 and about nine thousand more before the war was over. In addition, many volunteer recruits and adventurers, attracted by large bounties, high pay, and the prospect of plunder, were obtained and used in filling up British regiments. A large proportion of these German "allies," or "Hessians" as they were collectively called, had seen service Odds and Ends

1776 and were well fitted for the work they were to do. They were well officered and, though most of them came against their will and some of them were actually kidnapped, they earned their pay and keeping and were almost equally hated and dreaded by the Americans. More than a third of them never returned to Germany.

Criticism

The treaties excited much criticism both on the continent and in England. Mirabeau, then a fugitive in Holland, characterized the sale of the soldiers as "the greatest of crimes" and as "an offense against the freedom of nations," and the poet Schiller left an eloquent

June 18

protest against the traffic. Frederick the Great wrote of selling subjects "as one sells cattle to the shambles." In the English parliament, the treaties were attacked with vehemence. Lord Irnham compared the mercenary princes to Sancho Panza who, if he was a ruler, would prefer that all his subjects should be blackamoors that he might easily turn them into money. On the other hand, it was pointed out that the Swiss had long been in the habit of fighting as mercenaries, that Xenophon's ten thousand Greeks were the same, and that, since the landgrave of Hesse and the duke of Brunswick were so nearly connected with the English throne that their descendants might one day be called to sit upon it, they were justified in lending assistance against the rebels. The opposition produced no important results.

Effect

Time brought retribution upon most of the princely families that were thus guilty of selling their subjects, and the English policy defeated its own end. The hiring of the Hessians made reconciliation hopeless and the declaration of independence inevitable. Nothing did more to nerve the Americans to bitter resistance and to alienate them forever from the mother country. Englishmen themselves recognized this. "Were I an American," cried Lord Chatham, "as I am an Englishman, while a foreign troop was landed in my country, I would never lay down my arms — never — never — never!"

Strategy

The first division of the German troops sailed from England for Quebec in April, 1776; others soon sailed

for New York. With their aid, the Americans were to be driven from Canada; then an army under Carleton and Burgoyne was to move up the Richelieu and by way of Lake Champlain and the Hudson until it came in touch with another army that was to operate against New York City. New England, hitherto the chief center of revolt, was thus to be cut off from the other colonies. 1776

Portrait of Guy Carleton
(From a contemporary engraving)

On Lake Champlain

As related in the preceding volume, the Americans had been driven from Canada. The British now followed up their success with an attempt to acquire the mastery of Lake Champlain. Three vessels were taken in pieces, dragged around the rapids of the Richelieu, and rebuilt at Saint Johns. Others were built there and about two hundred flatboats were brought from Montreal. To man this fleet, about seven hundred sailors and some of the best officers were picked from the transports and war-ships in the Saint Lawrence. Meanwhile, largely through the energy of Arnold who had been intrusted with the preparations and the command, the Americans managed to assemble at the head of Lake Champlain (Skenesboro) a fleet of three schooners, one sloop, five row-galleys, and eight gondolas, collecting those already on the lake and building others.

1776 Arnold's second in command was a Connecticut brigadier, and his crews were chiefly landsmen taken from the army.

The First Fight between an American and a British Fleet

Map illustrating the Action on Lake Champlain

On the morning of the eleventh of October, the British fleet, consisting of three broadside vessels, twenty gunboats, and half a dozen other craft, attacked the American vessels between Valcour Island and the western shore. A desperate engagement followed; Arnold displayed his usual intrepidity, but by night, the Americans had lost a gondola and the schooner "Royal Savage" and were blockaded by the enemy who waited for morning in order to give the finishing blow. Before daylight, however, the remaining American boats stole through the British line and made their way southward. The British pursued and, on the thirteenth, came up with them off Split Rock Point. The "Washington" was compelled to surrender; after a running fight of five hours, the "Congress" and four gondolas were chased into a creek on the east side of the lake where Arnold burned them and then, "despite the savages," escaped with their crews through the woods. Five of the American vessels made their way to Ticonderoga, then held by Gates and his army.

THE ATTACK AND DEFEAT OF THE AMERICAN FLEET under Benedict Arnold BY THE KINGS FLEET Commanded by CAPT. THO. PRINGLE
upon LAKE CHAMPLAIN the 11th of Octo.r 1776
LAKE CHAMPLAIN
GRANDE ISLE
Isle de S. Michel
Point au Fer
Scale of Flem. Miles

FADEN'S PLAN OF THE BATTLE OF VALCOUR ISLAND

1776 The Laurel Wreath

The little American navy on Lake Champlain was destroyed, "but never," says Mahan, "had any force, big or small, lived to better purpose or died more gloriously." On the fourteenth of October, Carleton was at Crown Point which the Americans had evacuated after the destruction of their fleet. The season was now so late that

Contemporary engraved View of the Battle of Valcour Island

he did not make any attempt upon Ticonderoga, a grave mistake that astonished friend and foe. Lake Champlain began to freeze unusually early, there were no available roads northward through the forest, no preparations had been made to winter at Crown Point, and there was danger that the British forces would be cut off from their base if they attempted to stay where they were. Consequently, after receiving tidings from Howe

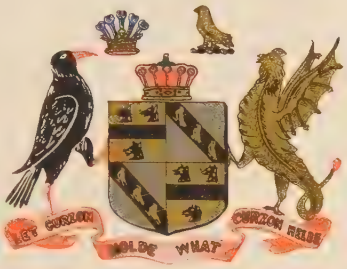
October 29

at New York, Carleton evacuated Crown Point and returned to Canada, leaving the conquest of the strategic line of Lake Champlain and the Hudson River for another campaign. "That the Americans were strong enough to impose the capitulation of Saratoga," says Mahan, "was due to the invaluable year of delay, secured to them in 1776 by their little navy on Lake Champlain, created by their indomitable energy, and handled with the indomitable courage of the traitor, Benedict Arnold. That the war spread from America to Europe,

from the English channel to the Baltic, from the Bay of Biscay to the Mediterranean, from the West Indies to the Mississippi, and ultimately involved the waters of the remote peninsula of Hindostan, is traceable through Saratoga, to the rude flotilla, which in 1776 anticipated the enemy in the possession of Lake Champlain." 1776

At New York

On the twenty-fifth of June, Sir William Howe, in the fast sailing frigate "Greyhound," arrived off Sandy Hook from Boston *via* Halifax, and was warmly welcomed by Governor Tryon. A fleet of one hundred and twenty-seven square-rigged vessels besides smaller crafts bore his nine thousand troops into the lower bay; on the fifth of July, Howe's army landed on Staten Island. On the twelfth, Richard, Lord Howe, rear-admiral and brother of the general, arrived with a strong squadron and nearly one hundred and fifty transports bearing eighty-six hundred Hessian and British troops.



Coat of Arms of Sir William Howe

Sir William Howe

The Howe Brothers

Lord Howe brought olive-branch as well as sword. Before he left England, the ministry had, with the king's reluctant consent, given him and his brother a joint commission to restore peace. It seemed that

1776 if reconciliation was possible the two brothers were fittest to accomplish it. They were grandsons of George II.; they were younger brothers of the lamented officer who had fallen near Ticonderoga in the French war; they were Whigs and the general had spoken in parliament in behalf of the colonists; they were sincerely anxious to effect a reconciliation, of which Lord Howe was so confident that he told Admiral Arbuthnot at Halifax that peace would be made within ten days of his arrival.

A Dead Letter

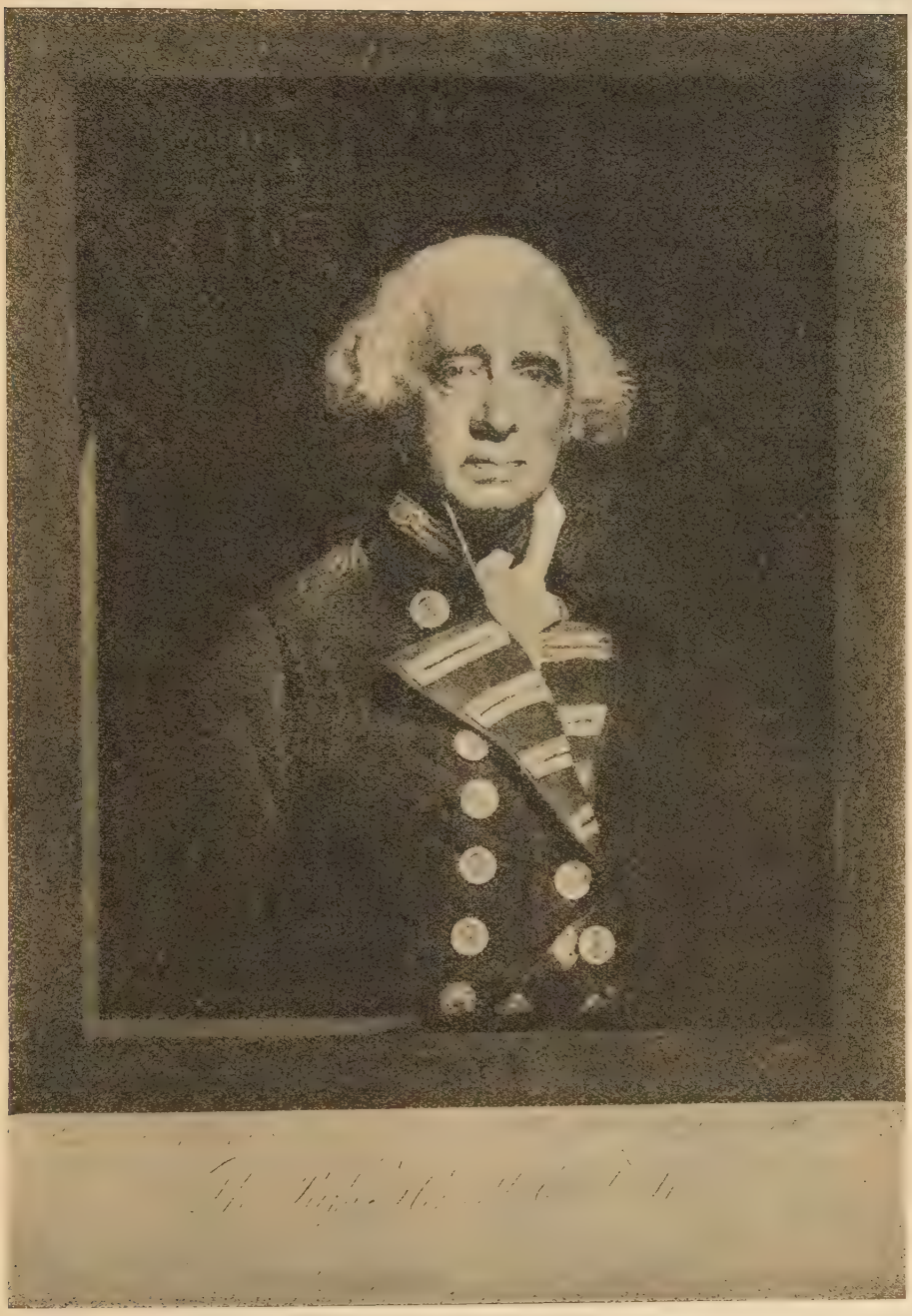
Howe found his task more difficult than he had anticipated. On the fourteenth of July, a letter containing the king's promise of a full and free pardon to all those who would desist from rebellion was sent up the bay addressed to "George Washington, Esq." Joseph Reed, a Philadelphia lawyer who had been Washington's military secretary and, in June, had taken Gates's place as adjutant-general, noticed the superscription and refused to receive the missive, saying that there was no such person in the army. Six days later, a document, this time addressed to "George Washington, Esq., etc., etc.," was brought up by Howe's adjutant-general, but Washington refused to receive it. The two discussed the question of exchanging prisoners, but on the subject of peace Washington refused to negotiate, saying that he had no authority in the case and that the Americans would not negotiate on any other basis than independence, a thing that the Howes were not authorized to consider.

The British Force

On the first of August, the British forces at New York were increased by the arrival of General Clinton with the troops that he brought back from his unfortunate attempt to take Fort Moultrie. Other reinforcements followed until Howe's army numbered about thirty-two thousand trained soldiers, of whom more than twenty-four thousand were fit for service. Aiding Howe's army was Howe's fleet. General Lee had already declared "that whoever commands the sea must command the town."

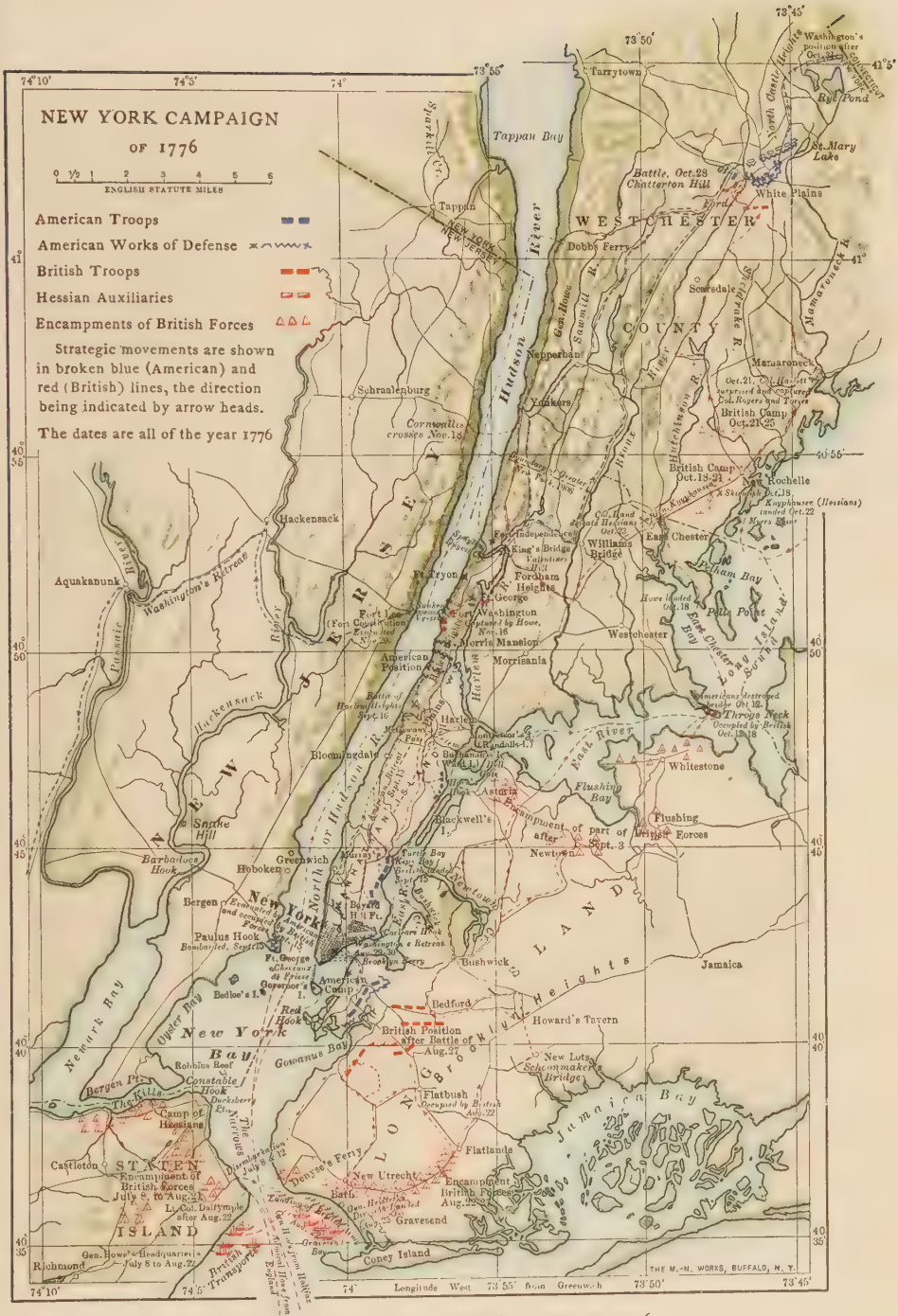
The New York Defenses

After the evacuation of Boston, Washington had hastened to New York where he arrived on the thirteenth

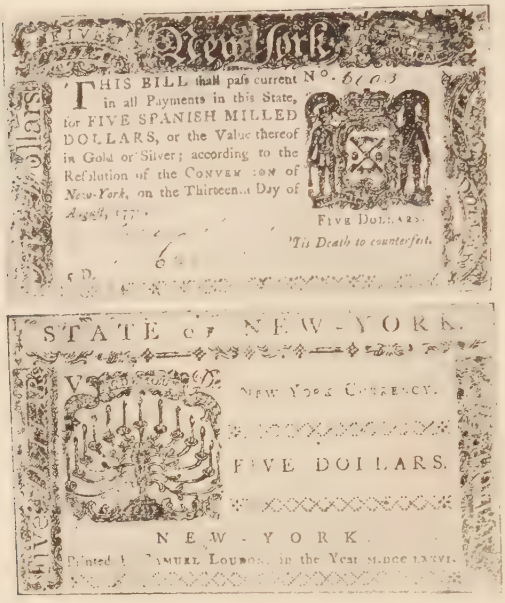


RICHARD, EARL HOWE

(From a mezzotint in the New York Public Library, Emmet Collection. Made from a painting by Copley; published, London, 1794)



General Map of the New York Campaign of 1776
(Prepared from data compiled by Mr. Charles William Burrows)

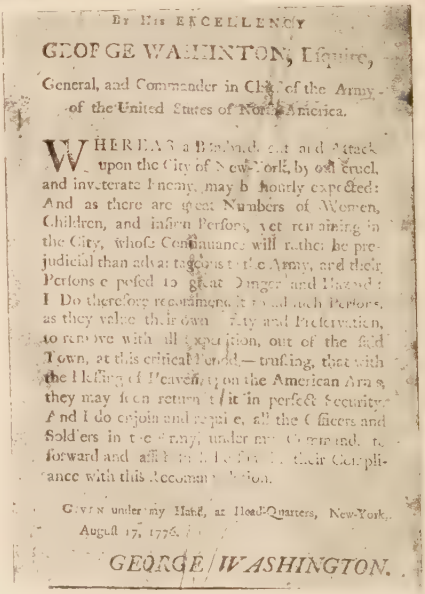


Currency Issued by New York in 1776
(Five-dollar bill, obverse and reverse)

1776 George, the Grand Battery, and the water batteries at every landing on the lower end of Manhattan Island, there was a chain of redoubts just north of the city, about on the line of the Grand street of today. At the northern end of the island, the hills overlooking Kingsbridge were fortified; and works were erected on Long Island. To defend these widely separated fortifications, Washington had, on the twenty-

Washington's Army

of April. Lee's plans for the defense of the city were enlarged. Governor's Island was garrisoned; Paulus Hook on the Jersey shore and Red Hook on Long Island were fortified; and hulks were sunk in the channel between Governor's Island and the lower end of the city. Fort Lee was built at the Palisades and Fort Washington on the eastern side of the river at what is now One Hundred and Eighty-third street, and the intervening channel was obstructed. Besides Fort


BY HIS EXCELLENCY
GEORGE WASHINGTON, Esquire,
General, and Commander in Chief of the Army of the United States of North America.

WHEREAS a Bloody and Attack upon the City of New-York, by our cruel, and inveterate Enemy, may be hourly expected: And as there are great Numbers of Women, Children, and infirm Persons, yet remaining in the City, whose Continuance will rather be prejudicial than advantageous to the Army, and their Persons exposed to great Danger and Hazard: I Do therefore recommend it to all such Persons, as they value their own Safety and Preservation, to remove with all Expedition, out of the said Town, at this critical Period,—trusting, that with the Blessing of Heaven, on the American Arms, they may soon return to it in perfect Security. And I do enjoin and require, all the Officers and Soldiers in the Army, under my Command, to forward and assist them in their Compliance with this Recommendation.

GIVEN under my Hand, at Head-Quarters, New-York, August 17, 1776.

GEORGE WASHINGTON.

Washington's Proclamation to the People of New York

seventh of August, about twenty-eight thousand five hundred men, of whom eight or nine thousand were not available for duty. 1776

Twenty-five out of seventy-one regiments or parts of regiments were "continentals;" their men were enlisted under the regulations of congress and their officers were commissioned by that body and not by the states; they were the "regulars" of the Revolution. The other troops were militia, generally ill clad and poorly armed, good raw material but undisciplined. The artillery was mostly old and of varying calibre and pattern.

Continental Line Infantry, showing State Distinctions
(From original drawing by Harry A. Ogden)

Earlier in the month, Heath, Spencer, Sullivan, and Greene had been made major-generals. August 9

On the morning of the twenty-second of August, General Howe transferred fifteen thousand British and Hessian troops and forty field-pieces from Staten Island to Long Island. To oppose this force, the Americans had on the island not more than eight thousand men most of whom were raw militia, an inadequate supply of artillery, no cavalry, and no naval support. Cornwallis drove back the Pennsylvania riflemen who had been patrolling the coast since May and advanced as far as Flatbush. On the twenty-fourth, Washington wrote to Governor Trumbull of Connecticut asking if it would be "practicable for Howe's Army on Long Island

1776 your government to throw a body of one thousand or more men across the sound, to harass the enemy in their rear or upon their flanks, . . . securing the stocks of cattle, &c." On the twenty-fifth, General De Heister, a crippled veteran of many campaigns, landed at Gravesend Bay with two more Hessian brigades. Howe's more than twenty thousand men occupied a line extending from the Narrows to Flatlands.

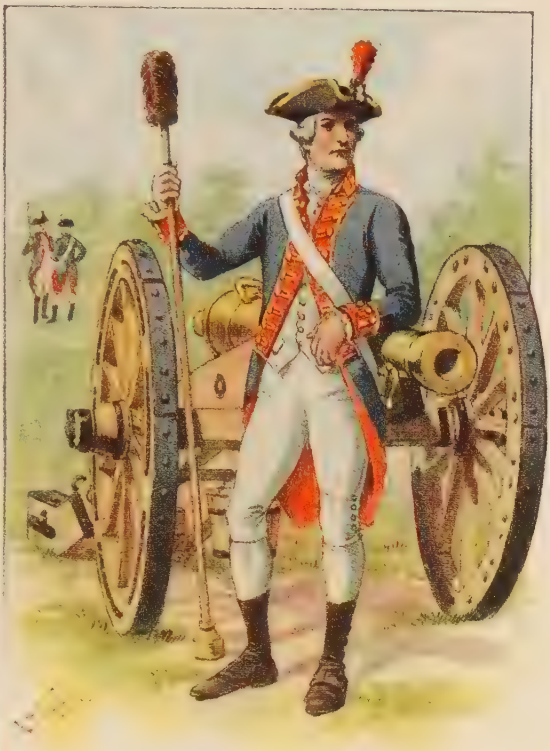
Flag of the First Pennsylvania Rifle Regiment
(Reproduced, by the Lumiere process of color photography, from the original in the State House at Harrisburg, Pennsylvania)

The American Defenses

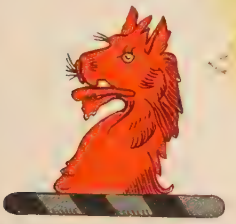
The Americans upon the island were in a dangerous position; if the British fleet should force its way into the East River their retreat would be cut off. Yet, if New York was to remain in American hands, it was necessary that Brooklyn Heights should be held, for they dominated the city. General Nathanael Greene with about seven thousand men had spent the summer in fortifying the position. Back of Brooklyn village he had built a line of intrenchments and redoubts from Gowanus Cove on the south to Wallabout Bay on the north, a distance of a little less than a mile. Each flank of these inner works was well protected by creeks and morasses. Two or three miles beyond were the Brooklyn Heights, a difficult, heavily wooded ridge, practically passable by troops with artillery only at the Narrows road near the bay, at Flatbush Pass, about three miles to the eastward, and at Jamaica

1776

Pass, two or three miles still beyond. Unfortunately, Greene, who was a capable officer and familiar with the situation, was prostrated by the prevailing fever; on the twentieth of August he was succeeded by Sullivan. On the twenty-fourth, Washington placed



Private of Artillery, Continental Line
(From original drawing by Harry A. Ogden)

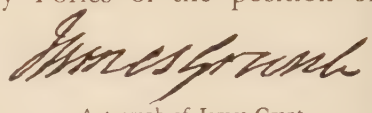


Coat of Arms of Israel Putnam

Putnam in command; on the twenty-fifth, he sent him written instructions; on the twenty-sixth, he crossed over to the island and made a personal inspection of the intrenchments and the outposts. Putnam was devoted, honest, and courageous, but he knew almost nothing of the arrangements for defense and little of scientific warfare. He can hardly be said to have exercised general command on the day of the battle that was at hand.

1776 Howe's Plans

With forces outnumbering the Americans three to one and thoroughly informed by Tories of the position of the enemy, Howe planned to make the attack in three columns. General Grant, whom we met at Fort Duquesne and again in the Cherokee country, was to advance with two brigades, a regiment of Highlanders, and two companies of New York Tories along the Narrows road against the American right. General De Heister with yagers and three German brigades was to move along the Flatbush road and attack the Americans in that neighborhood. Howe himself, with Clinton, Cornwallis, Percy, and the rest of the army, was to make a long



Autograph of James Grant

Map of Battle of Long Island

detour, seize the Jamaica road, and attack the American outer line in the rear. Against an adequate army ably led, such tactics would have been extremely hazardous. 1776

Somebody Blundered

On the twenty-sixth, De Heister's Hessians occupied Flatbush and threatened the pass in front, which Sullivan held with an intrenched force. At nine o'clock in the evening, Clinton's flanking column, guided by three Flatbush Tories, moved from Flatlands toward the Jamaica Pass near which, about three in the morning of the twenty-seventh, they captured five mounted officers who were supposed to be doing patrol duty. Finding no other obstruction at the pass, the British marched into the American rear by the Jamaica road, "a route we never dreamed of," as one of the American officers innocently wrote. By this maneuver, the American advanced forces were completely outflanked and surprised and the battle was really decided before the fighting had begun.

Stirling's Skirmish

Stirling

(From original painting owned by Dr. Robert Watts)

Meanwhile, General Grant, on the British left, had moved forward as planned and secured the

1776 pass in front of him by daybreak. Putnam sent Lord Stirling with fifteen hundred troops to oppose him, and slight skirmishes followed for several hours in what is now Greenwood Cemetery. Considering that they were outnumbered four to one, Stirling's men seemed to be doing well; Grant probably did not desire to drive them from their position until the flanking column had gained their rear.

Sullivan and De Heister

In the British center, De Heister and his Hessians had lain on their arms directly in front of Sullivan, at the Flatbush pass. When Clinton descended from the wooded hills and attacked the Americans on the plain at Bedford, his guns were heard and understood by De Heister. The Hessians pushed promptly forward and Sullivan was caught in the net. Ten thousand British and four thousand Hessians were too many for fewer than three thousand Americans and Sullivan ordered a retreat. On the way, they were met by Clinton's light infantry and dragoons who drove them back upon the Hessian bayonets. Fighting hand to hand with the foe, Sullivan's men were driven backward and forward between De Heister's full ranks on the one side and Clinton's on the other. Many cut their way through the hedge of bayonets and sabres, after which there was a lively chase over the hills and through the woods just outside the Brooklyn lines. Had the pursuing grenadiers then stormed Fort Putnam, an easy victory would doubtless have been won. Many were killed, wounded, or captured and Sullivan was taken prisoner. Washington had come over from New York and saw the calamity that he could not avert.

Stirling and Grant

On the American right, Stirling soon found his force shut in between Grant and Cornwallis while Gowanus Creek and a marsh and a fast-rising tide were behind him. To gain time, he took a small force of Marylanders and charged against the enemy while the greater number of his men worked their way across the muddy stream, or sank in its turbid waters or in the deep mud of its banks. For twenty minutes there was a sharp

MAJOR-GENERAL JOHN SULLIVAN

(From a mezzotint in the New York Public Library, Emmet Collection)

conflict between Cornwallis's force and the American forlorn hope, but in the end the survivors of the gallant band were dispersed or captured. 1776

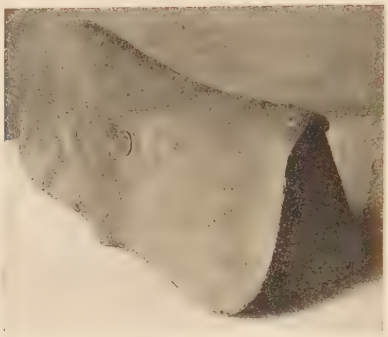
By two o'clock, the fighting was at an end. The demoralized Americans who escaped from the net found shelter behind the intrenched line, in what is now the heart of Brooklyn. Howe had still six hours of daylight, but instead of pressing forward to assault the works, he waited until the following day, broke ground for a regular siege, and began a cannonade. The English historian, Lord Mahon, says that by his ill-timed caution the English general flung away the opportunity of destroying the flower of the American army. But Howe at Bunker Hill had seen Americans defend intrenchments and the "ill-timed caution" may have been born of the prudence that he gained from that day's experience. This is the common explanation of his failure to assault, but he may have hoped that the northeast wind that had prevented the war-ships from coming up the bay would change so that they could enter the East River. He certainly had counted upon such aid from the fleet. In fact, while the morning fight was in progress, five ships of the line, under command of Sir Peter Parker, made an unsuccessful effort to beat up the bay, and one ship of smaller size did work up far enough to injure the breastworks and to dismount some of the guns of the inadequate battery at Red Hook. Had Sir Peter Parker been successful, the American force in Brooklyn would have been in a trap and would have been forced to surrender without much further loss of life.

Howe's ill-timed Caution

Additional troops were brought across the river and, by the morning of the twenty-eighth, Washington had nine or ten thousand men on Long Island. The morning was lowering and presently a drenching rain set in. It was a case of four to one, but the expected assault was not made. Charles Francis Adams says that "when it came to dilatoriness, Sir William Howe seems always to have proved himself equal to any occasion." Facing the danger that that "providential" northeast wind would

The Better Part of Valor

1776 die out and that the British fleet would enter the East River, Washington recognized his mistake and prepared to extricate himself from its consequences. In the early evening of the twenty-ninth, he submitted a plan of retreat to a council of war that unanimously accepted it. On the morning of the same day, he had through Mifflin, the quartermaster-general, ordered General Heath at Kingsbridge to send "every flat bottomed boat and other craft at your post, fit for transporting troops, down to New York as soon as possible." It is probable that orders had been previously issued to provide transportation for the retreat if one became necessary. At all events, every available boat was impressed, and the flotilla was wisely manned with Hutchinson's men from Salem and Colonel Glover's "amphibious regiment" from Marblehead.



Cartridge-box used in the American Revolution

Escape

In the early evening of the twenty-ninth, the still persisting northeast wind made it almost impossible to use the sailing craft, but, about eleven o'clock, the gale died down and changed into a gentle southwest breeze that proved of great assistance. Just before dawn, "Providence further interposed in favor of the retreating army by sending a thick fog," under cover of which, soon after sunrise of the thirtieth, the last regiment crossed in safety. All the stores and artillery were saved except a few heavy pieces. The last boat that crossed bore the commander-in-chief. The British were not vigilant; there were no inquisitive scouts along the lines, or prowling patrol boats in the East River. Howe and his officers knew nothing of what was going on until the Americans were safe across the river, then a thousand feet wider than it is today; of course, they were deeply morti-

FOR the Encouragement of thoſe that ſhall Inliſt in the Continental Army—The CONGRESS in their Reſolves of *September* 16*th*, 18*th*, 19*th*, *October* 8*th*, and *November* 12*th*, 1776, Engage,

THAT *Twenty Dollars* be given as a Bounty to each Non-Commiſſioned Officer and Private Soldier who ſhall Inliſt to ſerve for the Term of Three Years.

That each Non-Commiſſioned Officer and private Soldier ſhall annually receive a Suit of Cloaths, to conſiſt for the preſent Year, of Two Linnen Hunting Shirts, Two Pair of Overalls, a Leathern or Woolen Waiſtcoat with Sleeves, One Pair of Breeches, a Hat or Leather Cap, Two Shirts, Two Pair of Hoſe, and Two Pair of Shoes, amounting in the whole to the Value of *Twenty Dollars*, or that Sum to be paid to each Soldier who ſhall procure thoſe Articles for himſelf, and produces a Certificate thereof from the Captain of the Company to which he belongs, to the Pay Maſter of the Regiment.

That each Non-Commiſſioned Officer and private Soldier who ſhall Inliſt and engage to continue in the Service to the Cloſe of the War, or until diſcharged by CONGRESS, ſhall receive in Addition to the above Encouragement, ONE HUNDRED ACRES OF LAND, and if any are Slain by the Enemy, the Repreſentatives of ſuch Soldiers ſhall be intitled to the aforeſaid Hundred Acres of Land.

And for their further Encouragement, the State of *Maſſachuſetts-Bay*, has, by a Reſolve of *November* 25 laſt, engaged,

That each Non Commiſſioned Officer and private Soldier who ſhall Inliſt into the Continental Army, either during the War, or for the Term of Three Years, as Part of the Quota of Men aſſigned this State, the Sum of *Twenty Pounds* on his paſſing Muſter, the ſaid *Twenty Pounds* to be paid in Treaſurer's Notes of *Ten Pounds* each, payable to the Poſſeſſor in Four Years, with Intereſt to be paid annually, at the Rate of *Six per Cent.*

In the Houſe of REPRESENTATIVES, *Dec.* 4. 1776.

THE foregoing Extracts were Read and *Ordered* to be Printed.

JAMES WARREN, Speaker.

BROADSIDE TO ENCOURAGE ENLISTMENT IN THE CONTINENTAL ARMY
(From a copy in the Boston Public Library)

fied by the escape of the prey that they thought secure. Lossing has compared the favoring fog to the shield of the Almighty, and more matter-of-fact military critics have quoted Frederick of Prussia's reference to such favoring circumstances as instances of luck in warfare. 1776

After the Battle

Howe's victory had cost the British in killed, wounded, and missing about four hundred. The loss of the Americans was much heavier, though not as much so as has often been stated. According to authoritative accounts, their total loss was not above one thousand. Of these, fifty-six were killed, one hundred and sixty-six were wounded, and the rest were taken prisoners. There was no such slaughter as has sometimes been pictured nor was there any "massacre" by the Hessians. On the thirty-first, Howe marched his army from the battle-field of the twenty-seventh to the vicinity of Newtown, nearer to Hell Gate and Long Island Sound, and then took a two weeks' rest from active warfare.

Washington's Opinion of Militia

Although New York was practically lost with the loss of Long Island, Washington continued to occupy Manhattan. He began moving his stores to Kingsbridge and beyond and asked congress if he should burn the city. On the second of September, he wrote to congress: "Till of late I had no doubt in my own mind of defending this place; nor should I have yet, if the men would do their duty; but this I despair of." Most of these men were poorly armed militia who had been away from home but a few weeks. Washington was "obliged to confess my want of confidence in the generality of the troops" and urged congress to enlist men for the war. "Men who have been free and subject to no control cannot be reduced to order in an instant." A few weeks later, he wrote again: "To place any dependence upon militia is assuredly resting upon a broken staff." September 24

Howe again Proffers the Olive Branch

Hoping that his victory would enable him to make peace, Lord Howe sent the captured Sullivan to Philadelphia to urge congress to send, as private persons, some of its members to confer with him. The suggestion brought by Sullivan, a "decoy duck" John Adams

1776 unjustly called him, caused a warm debate, but Adams, Rutledge, and Franklin were sent to Staten Island as a congressional committee to confer with Howe. Howe received them courteously although he had no power to confer with them except as Americans of influence. With characteristic diplomacy, Franklin was willing that Howe should consider them as he thought best, they reserving the right to consider themselves as what they really were, and Adams was willing to be considered "anything but a British subject." Nothing came of the conference and, as a last effort, Howe issued a proclamation announcing that the British government was ready to reconsider the acts and instructions that had brought on the war and asking all fair-minded people if it would not be wiser to return to their allegiance and accept the blessings of peace than "to offer up their lives as a sacrifice to the unjust and precarious cause in which they were engaged." The proclamation produced little or no effect and Howe took up the task of capturing New York.

September 11

General Sullivan's Vest

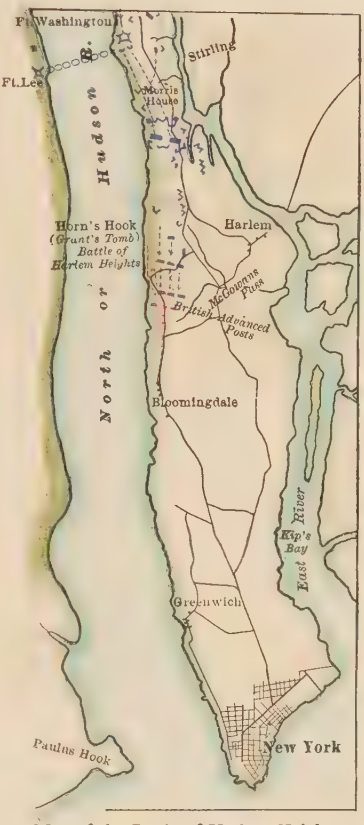
September 19

With British troops on Brooklyn Heights and British ships in the East River and the Hudson, the abandon-

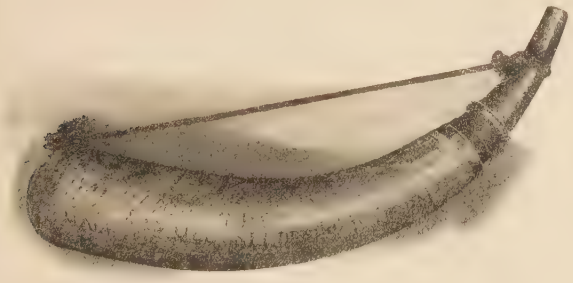
1776

The British Take New York

ment of New York was a necessity and, on the twelfth of September, an American council of war decided to give up the city. The evacuation, however, was effected with difficulty, for, on the fifteenth, Howe sent a force under Clinton across the East River to Kips Bay at the foot of the present Thirty-fourth street. Awed by a "thundering rattle" from the ships of war, the American troops in that vicinity retreated in a panic. At the first sound of the guns, Washington rode from his headquarters in the Morris mansion near what is One Hundred and Sixtieth street east of Tenth avenue (later the residence of Madame Jumel) to the front and made an unsuccessful effort to rally the fugitives. This retreat left about four thousand of the American militia further down the island in danger of being cut off, but General Putnam, to whose division they belonged, marched them up the west side of the island



Map of the Battle of Harlem Heights



Samuel Selden's Powder-horn

1776 and managed to extricate the brigade without substantial loss in men; most of the heavy artillery and part of the stores and provisions had to be left behind. The story goes that General Howe and Governor Tryon and others were entertained at luncheon at Murray Hill, then a country farmstead but "now the center of much brownstone magnificence." The day was so "insupportably hot," the cake and Madeira were so palatable, and the charming hostess and her daughter so delightful that the officers tarried two hours or more—until Putnam and his men were out of danger. For the sake of his mother and his sister, we may well forgive Lindley Murray for his English grammar. Late in the afternoon, a detachment from the fleet took possession of the city, and all of Manhattan below Harlem was in the possession of the British.

The Morris Mansion

The Battle of Harlem Heights

The American lines now extended across Manhattan Island from Harlem to the Hudson, while the British encampment also extended across the island with their right at Horns Hook and their left "at the North River near to Bloomingdale;" there were British men-of-war on either flank of Howe's line. Washington had about nine thousand men including "Knowlton's Rangers," a body of about one hundred and twenty volunteers who were expected to be constantly at the front watching the movements of the enemy. The commander of the rangers was the Thomas Knowlton whom we met at Bunker Hill. Early in the morning of the sixteenth, Washington sent Knowlton and his men to make a reconnaissance —a movement that brought on, in the vicinity of the site of Grant's tomb and Columbia University, a spirited

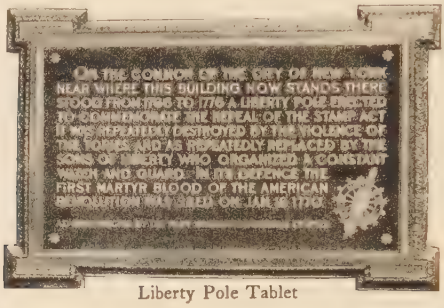
action known as the battle of Harlem Heights, an open- 1776
field affair, "up and down hill, and over fields and fences, and through lanes and orchards." In the end, the British were driven back with a loss somewhat greater than that of the Americans; Knowlton was among the killed. The conflict did much to restore the confidence of the Americans; Washington said that it cheered his men "prodigiously."

Thomas Knowlton
(From Trumbull's historic painting of the Battle of Bunker Hill, in collection of Yale University)

A Tory Refuge

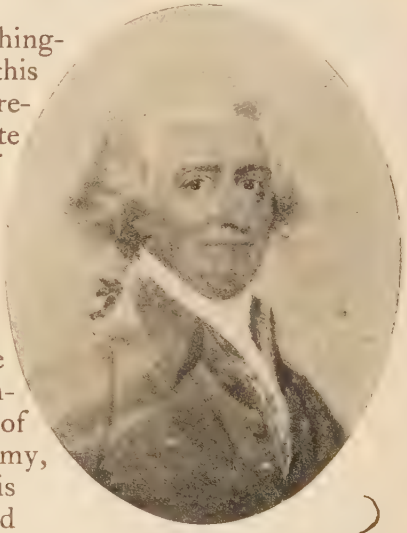
After the British occupation of the city, New York became the chief sanctuary of the hunted Tories. The Whigs in the city and on Long Island were disarmed, forced to take the oath of allegiance, and received, measure for measure, the persecution they had visited upon their loyalist neighbors. "Their cattle were stolen, their orchards cut down for firewood," and their churches were sometimes burned or used for stables or disfigured by having their steeples sawn off by mischief-

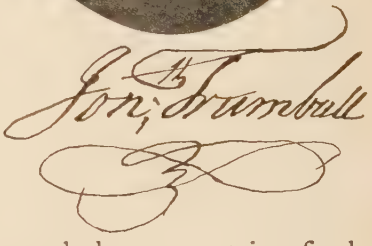
1776 loving Tories. As most of the Episcopalians in the colony were Tories, their churches were spared except in cases of necessity, but the Presbyterians, nearly all of whom were Whigs, were less fortunate. This division along religious lines, noticeable chiefly in New England and New York, added to the rancor of the struggle. Not all of the excesses are chargeable to the British or to the loyalists.


ON THE COMMON OF THE CITY OF NEW YORK
NEAR WHERE THIS BUILDING NOW STANDS THERE
STOOD FROM 1766 TO 1776 A LIBERTY POLE ERECTED
TO COMMEMORATE THE REPEAL OF THE STAMP ACT
IT WAS REPEATEDLY DESTROYED BY THE VIOLENCE OF
THE TORIES AND AS REPEATEDLY REPLACED BY THE
SONS OF LIBERTY WHO ORGANIZED A CONSTANT
WATCH AND GUARD IN ITS DEFENCE THE
FIRST MARTYR BLOOD OF THE AMERICAN
Liberty Pole Tablet

Brother Jonathan

He who examines Washington's correspondence of this period must notice the frequency with which he wrote to Governor Trumbull of Connecticut. Part of this was doubtless due to the geographical position of the state but, in a large measure, it was based upon the personality of the executive. When Washington wrote to Trumbull of



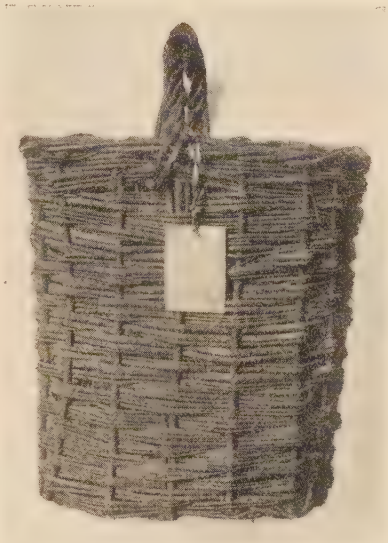


August, 1776 the weakness of his army, the governor assembled his committee of safety, called for nine more regiments, and to those who were not yet enrolled said: "Join yourselves to one of your companies now ordered to New York, or form yourselves into distinct companies and choose captains forthwith. March on; this shall be your warrant. May the God of the armies of Israel be your leader." Jonathan

Trumbull was governor of Connecticut from 1769 to 1783, the only colonial governor who espoused the people's cause and one of Washington's main pillars of support. It is said that, in moments of perplexity, the general often exclaimed, "Let us hear what Brother Jonathan says," and that "Brother Jonathan" thus became the accepted designation of the personified United States. The famous little office on Lebanon Hill is carefully preserved by the Sons of the American Revolution. 1776

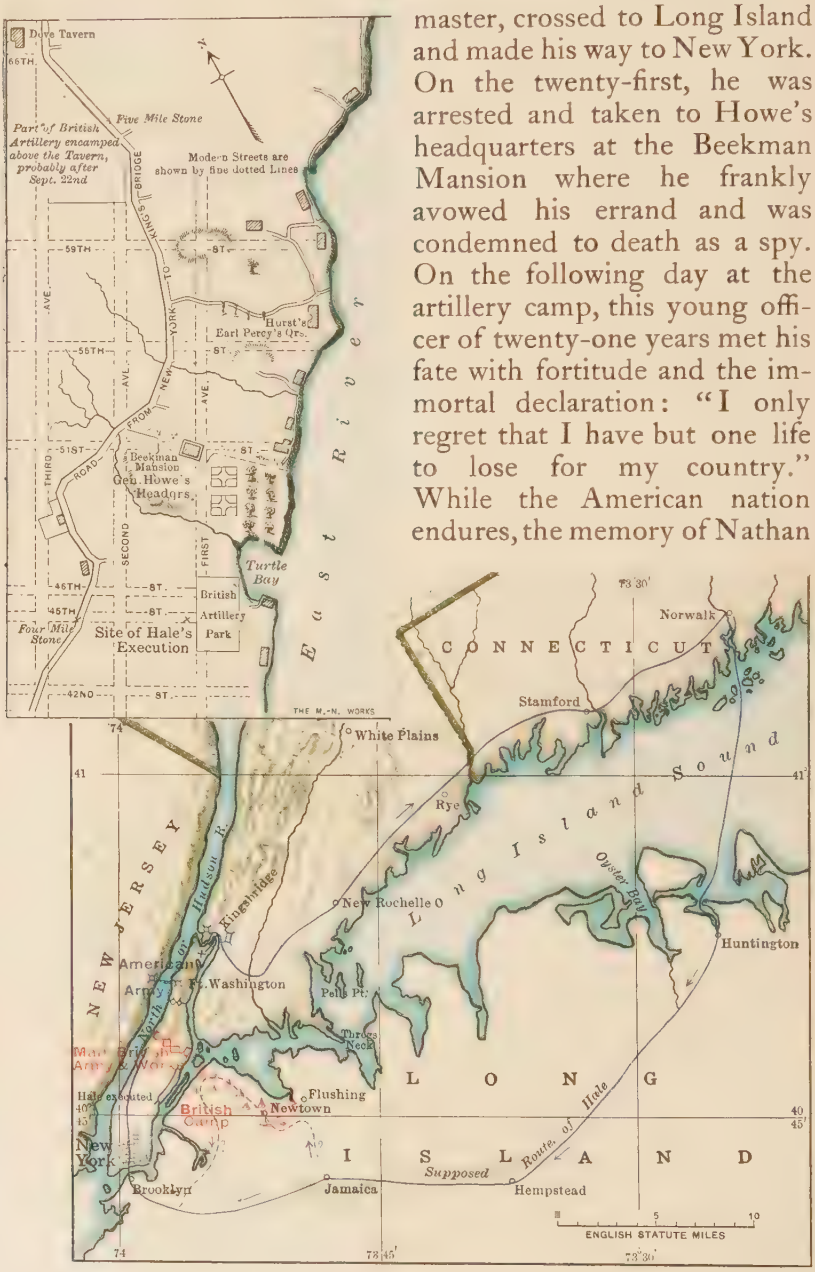
The Martyr Spy

Five days after the battle of Harlem Heights, a fire broke out in the city and consumed five hundred houses that would have made snug winter quarters for the British troops, but the day is chiefly remembered because of the arrest of Nathan Hale, a Connecticut schoolmaster who had hastened to the American lines at Boston and was now a captain in the newly organized "Knowlton's Rangers." Before the British crossed the East River, Washington had been very anxious to find out Howe's intentions and Hale tendered his services to that end. "I am fully sensible of the consequences of discovery and capture," he said to a brother officer, and added: "I am not influenced by the expectation of promotion or pecuniary reward. I wish to be useful, and every kind of service necessary to the public good becomes honorable by being necessary." With Washington's approval and instructions, Hale set out in the second week of September, went to Stamford on the Connecticut shore, disguised himself as a school-



Nathan Hale's Camp Basket

master, crossed to Long Island and made his way to New York. On the twenty-first, he was arrested and taken to Howe's headquarters at the Beekman Mansion where he frankly avowed his errand and was condemned to death as a spy. On the following day at the artillery camp, this young officer of twenty-one years met his fate with fortitude and the immortal declaration: "I only regret that I have but one life to lose for my country." While the American nation endures, the memory of Nathan



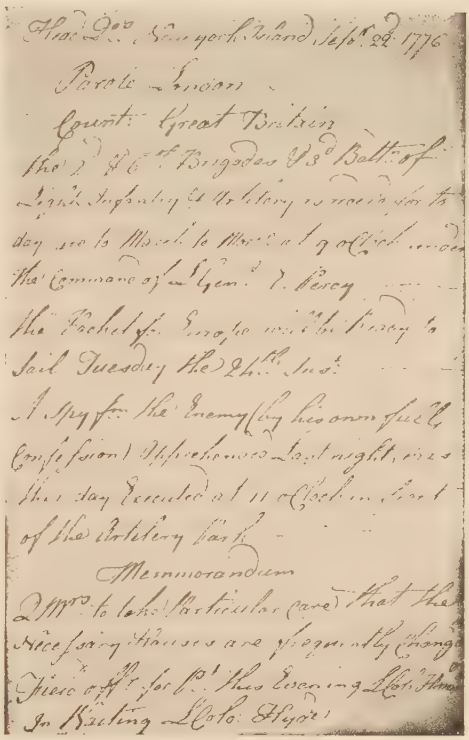
Maps showing Route of Nathan Hale into the British Lines and Section of New York City where he was Executed

Hale will be cherished in the land for which he gladly gave his life; his "disgraceful" death is now counted as his greatest glory.

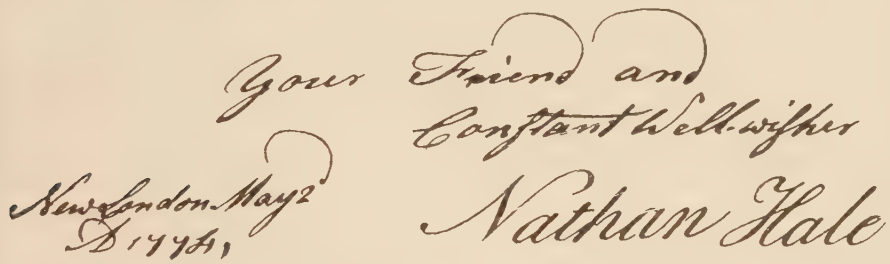
Soon after the affair at Harlem Heights, General Greene was sent with a brigade to hold Fort Lee on the west bank of the Hudson. For about three weeks, the two main armies "continued at gaze." The problem of destroying Washington's command and thereby ending the war was now more difficult than it had been at

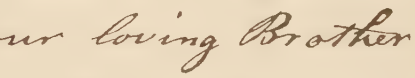
1776

Washington Abandons Manhattan Island



Page from Diary of a British Officer, recording Hale's Execution

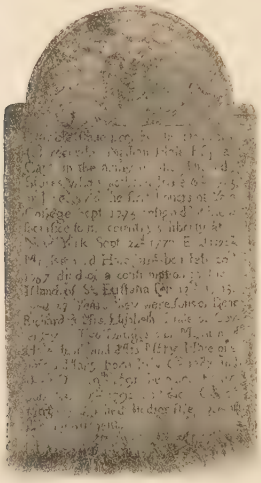




Two Autographs of Nathan Hale: Ornate, or Schoolmaster's, and Ordinary Autograph

1776 Brooklyn. The triple line of fortifications extending across the upper end of the island from the Hudson to the Harlem was made so strong that Howe did not care to venture an assault; he therefore attempted a flank movement. Leaving Percy with two brigades to defend New York, and with the intention of occupying the Westchester roads and cutting off Washington's retreat, Howe transported his main army up the East River through Hell Gate to Throg's Neck, a tongue of land that was separated from the mainland by a narrow creek and a marsh that was overflowed at high tide. But the Americans had destroyed the bridge between the neck and the mainland and had erected intrenchments that held the British on the peninsula for six days. Meanwhile, Washington abandoned his positions on Manhattan Island with the exception of Fort Washington and its outworks, fell back with his army, and fortified near White Plains. Sullivan and Stirling, having been exchanged, now rejoined the army and Lee returned from South Carolina.

October 12



Hale Family Tombstone at Coventry, Connecticut

Washington's Headquarters at White Plains

The Battle of Pell's Point

About one o'clock in the morning of the eighteenth, Howe crossed over to Pell's Point, near which some Massachusetts troops had encamped the night before. In the absence of General

James Clinton, the command was held by Colonel John Glover. The brigade consisted of four skeleton regiments with a total of seven hundred and fifty men; one of the four was Glover's own famous regiment of fishermen. As Howe advanced with four thousand, Glover sent a company of forty to hold them in check until the main body of his brigade could be "disposed of to advantage." The "amphibious" regiment and the three cannons were left in reserve at the Hutchinson River, a sinuous, tide-water stream named in memory of Anne Hutchinson, the Massachusetts exile of 1637, who, in this lonely spot, perished by Indian massacre in 1643; the other three regiments, fewer than six hundred effective men, took position behind the substantial stone walls that fenced the roadway. In some respects, the fight that followed was Bunker Hill over again, but the bulldog tenacity of the British and the Hessians was much in evidence and the American Six Hundred fell back beyond the Hutchinson River, their retreat being covered by Glover's regiment and the artillery. Howe made no attempt to cross the stream and went into camp to await reinforcements. The contrast between the numbers engaged was striking, but the difference in losses sustained is almost beyond belief. Glover reported six privates killed and about a dozen wounded. The losses of the enemy were mostly among the Hessians and the total has been estimated at from eight hundred to a

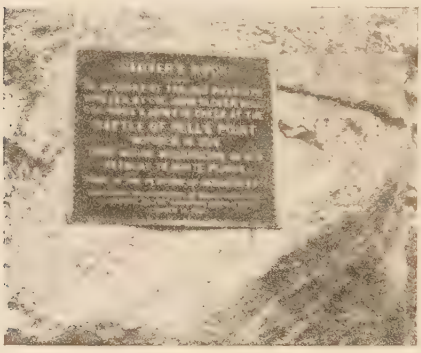
1776

John Glover
Brigadier General

(From painting in possession of Mrs. Henry E. Waite)

1776 thousand. The Americans were well sheltered, no flanking movement was attempted, and much of the firing was at short range. Colonel Baldwin of the Massachusetts twenty-sixth said: "Our troops were as calm and steady as though expecting a shot at a flock of pigeons." Concerning the estimate above recorded, Dawson says: "It is difficult to believe that four hundred Americans, familiar with the use of firearms, sheltered by ample defences from which they could fire deliberately and with their guns rested on the tops, could have fired volley after volley into a large body of men, massed in a compact column in a narrow roadway, without having inflicted as extended damage as this." On the morning of the nineteenth, Glover and his men retreated towards Yonkers. The all-day encounter had an excellent moral effect on the Americans and the delay that it caused Howe was valuable to Washington who, in general orders, congratulated "Col. Glover and the officers and men who were with him in the skirmish on Friday last." The battle-field is within the limits of Pelham Bay Park, a suburb of Mount Vernon.

October 21



"Glover's Rock" and Memorial Tablet

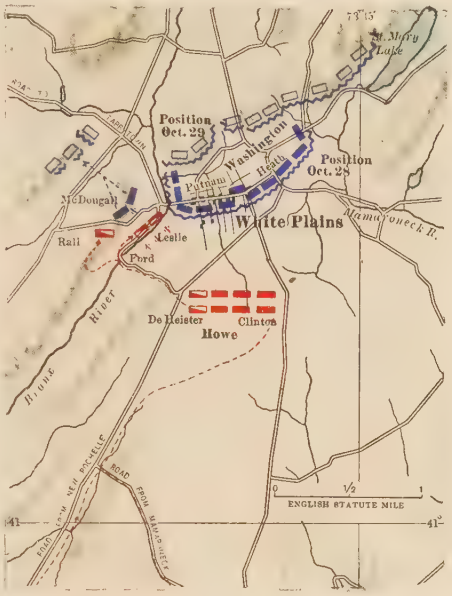
The Battle of White Plains

October 22

On the twenty-first, Howe advanced his right and center two miles beyond New Rochelle. Being reinforced by a strong force of Hessians under General Knyphausen and foiled in his attempt to get in Washington's rear, he decided to attempt an attack in front. On the twenty-eighth of October, the British stormed the American outpost at Chatterton Hill then held by continentals and militia under Brigadier-general Alexander Macdougall, and Captain Alexander Hamilton with an artillery company and two guns. The brisk conflict that ensued

is commonly known as the battle of White Plains. The British finally succeeded in carrying the hill, but with a loss considerably greater than that of the Americans. Howe thought it wise to wait for reinforcements before risking a decisive battle. Lord Percy arrived with a strong detachment on the thirtieth and the next day was set for the attack. But, on the thirty-first, a rainstorm delayed Howe's proposed action and that night Washington withdrew his army to so strong a position on the heights of North Castle (now Newcastle) that the British general did not venture to attack him.

1776



Map of the Battle of White Plains

On the Hudson

Howe then changed his plan and marched to Dobbs Ferry on the Hudson whence he could either attack Fort Washington or cross into New Jersey and threaten Philadelphia. To meet this movement, Putnam was sent with five thousand men into New Jersey, and Heath to Peekskill with three thousand to guard the entrance to the Highlands; Lee was left with seven thousand at

The Falkeneer (Falconeer) House at White Plains, Headquarters of British officers (no longer standing)

1776 North Castle to coöperate with Washington as Howe's intentions became apparent.

Congressional Meddling and Muddling

As early as the ninth of October, two British frigates had passed the obstructions in the Hudson River between Fort Washington and Fort Lee. Other vessels made the passage on the seventh of November, showing that the forts were of little use and might well be abandoned. On the eighth, Washington wrote to General Greene who was in command of both forts that he did not think it "prudent to hazard the Men and Stores at Mount Washington; but, as you are on the spot, leave it to you to give such orders, as to evacuating Mount Washington, as you may judge best." While Washington was up the river, instructions came from congress to the effect that the place must not be abandoned except under dire necessity. Greene did not feel at liberty to disregard the orders of congress. He therefore reinforced the garrison and awaited Washington's return—"the worst thing possible." Washington arrived at Fort Lee on the fourteenth; on the fifteenth, Howe appeared before Fort Washington with an overwhelming force and demanded

Map of the Action at Fort Washington

a surrender, with the alternative "to be put to the sword." 1776

Howe Takes Fort Washington

Colonel Robert Magaw, who was in immediate command at Fort Washington, returned a defiant answer, but his three thousand men were too many for the shelter of the hastily built and feeble fort and too few successfully to defend it and all its outworks. The assault of the sixteenth was skilfully planned and admirably executed. After a sharp struggle, the Americans, outnumbered five to one, were driven from their outer defenses into the fort. Colonel Magaw asked for a five hours' parley; half an hour was given, and surrender came soon after. The victory cost the British about four hundred and fifty in killed and wounded. Only about one hundred and fifty Americans fell, but more than twenty-six hundred yielded themselves prisoners, together with many small arms, a large supply of stores and ammunition, and more than forty cannons. Howe had not the heart to carry out his threat of the day before; some of the Hessians, enraged by the resistance, began bayoneting the prisoners but were forced to desist.

Autograph of Robert Magaw

Margaret Corbin Tablet

Per Aspera ad Astra

The capture of Fort Washington was perhaps the most disastrous blow suffered by the Americans in the course of the war. Its fall brought the New York campaign to an end. Long Island and New York City had been lost, and the lower Hudson and

1776 the waters of the sound were controlled by the British fleet. More than two hundred cannons and more than four thousand men had been captured, nearly six hundred men had been killed or wounded, and many had died of disease. Yet these months of disaster had their compensations. Considering its strength, the British army had accomplished less than might have been expected. Equally important was the fact that the American officers and men were learning to be soldiers. The campaign offered a series of first experiences to the American commander. "Rather a slow man, naturally," and with "none of that insight which causes certain commanders in presence of an enemy —they know not why—instinctively to do the right thing at the right moment," Washington had made mistakes both in strategy and tactics, but through those mistakes he learned. In the school of experience, he developed into a commander-in-chief so safe and so successful that he can stand out and be painted as he was without any of the glamour that has dazzled some historians, or any hiding of "that kindly element of human nature and human weakness of which over-zealous panegyrists have done much to deprive him."

CHAPTER II

TRENTON AND PRINCETON—CONGRESS

FOLLOWING up the British success at Fort Washington, Cornwallis with five or six thousand men made a landing on the New Jersey shore nearly opposite Yonkers and marched down the western bank against the now useless Fort Lee. The Americans precipitately crossed the Hackensack, leaving behind a large quantity of commissary stores, camp equipage and baggage, and more than thirty cannons; "the Ammunition had been happily got away," Washington reported. November 20, 1776

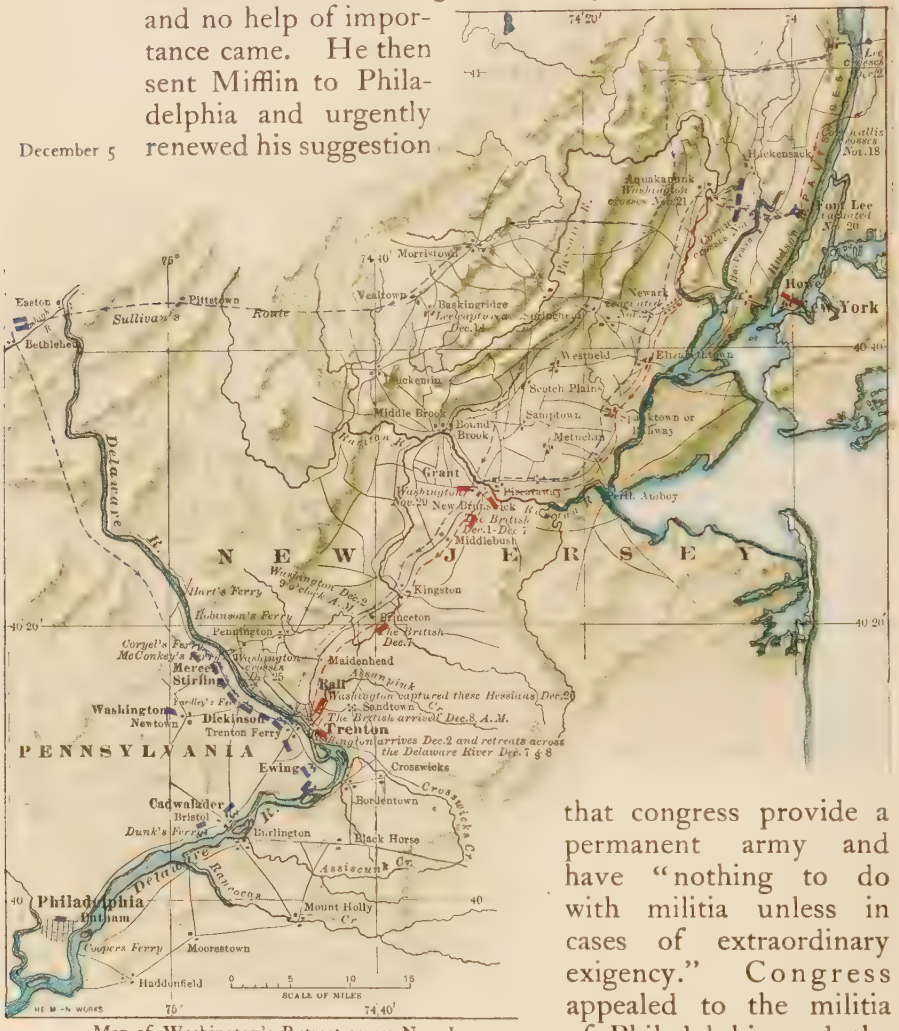
Fearing that he would be hemmed in between the Hackensack and the Passaic rivers, Washington crossed the latter and marched to Newark where he stayed five days. As he moved out of one end of Newark on the twenty-eighth, Cornwallis came in at the other. The next day, at Brunswick, the enlistments of the Maryland and New Jersey militia expired and, despite appeals, nearly all of them set out for home. As the British crossed the Raritan, Washington, with fewer than three thousand men, again fell back. Leaving Stirling with two brigades at Princeton to watch the enemy, he continued his march to Trenton and soon had his scanty stores and baggage across the Delaware. Luckily for him, Howe's orders to Cornwallis did not permit pursuit beyond Brunswick. The Retreat across New Jersey November 21 December 1 December 2

During his retreat, the condition of his army had given Washington great anxiety. The men were disheartened, desertions were numerous, and, in disregard of repeated New Jersey Paralysis

1776 orders, Lee had failed to bring up his division. Washington made appeal to the authorities of New Jersey, but

December 2 the members of the legislature dispersed to their homes and no help of importance came. He then sent Mifflin to Philadelphia and urgently

December 5 renewed his suggestion



Map of Washington's Retreat across New Jersey

that congress provide a permanent army and have "nothing to do with militia unless in cases of extraordinary exigency." Congress appealed to the militia of Philadelphia and the nearest counties and sent to all parts of the country for reinforcements and supplies. At Trenton, a German battalion and about a thousand militia who had responded

to Mifflin's appeals joined the army. On the sixth of December, General Greene returned with twelve hundred men to Princeton where Stirling still was and, that night or early the next morning, Washington set out with a small force to join him. 1776

Meanwhile, the Howe brothers issued a proclamation offering, for sixty days, pardon to all who would renounce the cause of independence. The offer was accepted by about twenty-seven hundred persons, including Samuel Tucker of New Jersey, president of the committee of safety, and Joseph Galloway of Pennsylvania, late of the continental congress. Washington wrote to his brother saying that "the conduct of the Jerseys has been most Infamous. Instead of turning out to defend their country, & affording aid to our army, they are making their submissions as fast as they can." But the influence of the proclamation was soon neutralized by the behavior of the British and Hessian troops who plundered houses, subjected women to indignities, and transferred from Europe to New Jersey the worst horrors of invasion by a foreign army. Howe Offers Amnesty November 30

IN COUNCIL OF SAFETY,

PHILADELPHIA, *December 8*, 1776.

SIR,

THERE is certain intelligence of General Howe's army being yesterday on its march from Brunswick to Princetown, which puts it beyond a doubt that he intends for this city. This glorious opportunity of signalizing himself in defence of our country, and securing the Rights of America forever, will be seized by every man who has a spark of patriotic fire in his bosom. We entreat you to march the Militia under your command with all possible expedition to this city, and bring with you as many waggons as you can possibly procure, which you are hereby authorized to impress, if they cannot be had otherwise—Delay not a moment, it may be fatal and subject you and all you hold most dear to the ruffian hands of the enemy, whose cruelties are without distinction and unequalled.

By Order of the Council,

DAVID RITTENHOUSE, Vice-President.

To the COLONELS *or* COMMANDING OFFICERS *of the respective* Battalions *of this* STATE.

TWO O'CLOCK, P. M.

THE Enemy are at Trenton, and all the City Militia are marched to meet them.

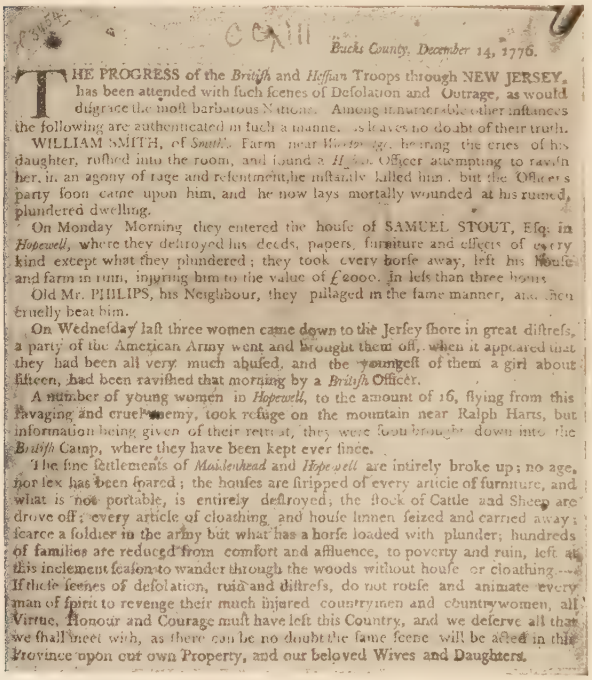
Broadside by the Philadelphia Council of Safety, asking Colonels and Commanding Officers of the State to be in Readiness to meet the Enemy

Encouraged by the easy advance in New Jersey, Howe joined Cornwallis at Brunswick and pushed on to Princeton, forcing Greene and Stirling to retreat before Washington had arrived. By Sunday, the eighth, the American army was on the west side of the Delaware; before they were all Howe's Advance to Trenton

1776 across, the British marched into Trenton. Some of Howe's army criticised his easy pace and to one of them it seemed as if he "had calculated with the greatest accuracy the exact time necessary for his enemy to make his escape." As Washington had secured all the boats for seventy miles up and down the river, he was safe from immediate danger.

Philadelphia in Panic

The approach of the British excited Philadelphia. On the second of December, stores and schools were closed and recruiting parties paraded in the streets with martial music. In a few days, the sick from the army came in large numbers and almost in nakedness. Hospitals and private houses were thus filled and committees went from door to door begging clothing. Handbills describing the insults that New Jersey women were suffering from a licentious soldiery roused the indignation of the people. The old charter was dead, the new constitution had not gone into effect, anarchy was overhanging, and General Putnam was placed in control of the city. On the thirteenth, congress adjourned to meet in Baltimore, of



Bucks County, December 14, 1776.

THE PROGRESS of the *British* and *Heſſian* Troops through NEW JERSEY, has been attended with ſuch ſcenes of Deſolation and Outrage, as would diſgrace the moſt barbarous Nations. Among innumerable other inſtances the following are authenticated in ſuch a manner, as leaves no doubt of their truth.

WILLIAM SMITH, of *Smith's* Farm near *Woodbridge*, hearing the cries of his daughter, ruſhed into the room, and found a *Heſſian* Officer attempting to raviſh her. in an agony of rage and reſentment,he inſtantly killed him. but the Officers party ſoon came upon him, and he now lays mortally wounded at his ruined, plundered dwelling.

On Monday Morning they entered the houſe of SAMUEL STOUT, Eſq; in *Hopewell*, where they deſtroyed his deeds, papers, furniture and effects of every kind except what they plundered; they took every horſe away, left his houſe and farm in ruin, injuring him to the value of £2000. In leſs than three hours

Old Mr. PHILIPS, his Neighbour, they pillaged in the ſame manner, and then cruelly beat him.

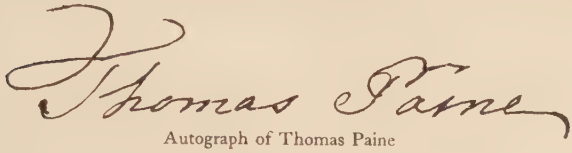
On Wedneſday laſt three women came down to the Jerſey ſhore in great diſtreſs, a party of the American Army went and brought them off, when it appeared that they had been all very much abuſed, and the youngeſt of them a girl about fifteen, had been raviſhed that morning by a *Britiſh* Officer.

A number of young women in *Hopewell*, to the amount of 16, flying from this ravaging and cruel enemy, took refuge on the mountain near Ralph Harts, but information being given of their retreat, they were ſoon brought down into the *Britiſh* Camp, where they have been kept ever ſince.

The fine ſettlements of *Maidenhead* and *Hopewell* are intirely broke up; no age, nor ſex has been ſpared; the houſes are ſtripped of every article of furniture, and what is not portable, is entirely deſtroyed, the flock of Cattle and Sheep are drove off; every article of cloathing and houſe linnen ſeized and carried away; ſcarce a ſoldier in the army but what has a horſe loaded with plunder; hundreds of families are reduced from comfort and affluence, to poverty and ruin, left at this inclement ſeaſon to wander through the woods without houſe or cloathing.—If theſe ſcenes of deſolation, ruin and diſtreſs, do not rouſe and animate every man of ſpirit to revenge their much injured countrymen and countrywomen, all Virtue, Honour and Courage muſt have left this Country, and we deſerve all that we ſhall meet with, as there can be no doubt the ſame ſcene will be acted in this Province upon our own Property, and our beloved Wives and Daughters.

Handbill Recounting Outrages Committed by British and Hessian Troops

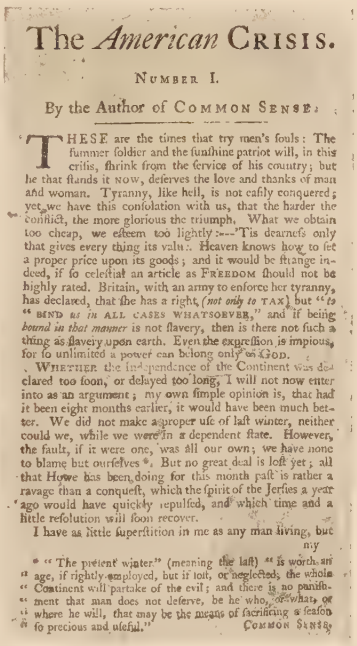
which more a few pages further on. Before leaving, they conferred on Washington "full power to order and direct all things relative to the department, and to the operations of war." The flight of congress "struck a damp on ye spirits of many." The suburban roads were crowded with vehicles of every kind and the river with all sorts of water craft as the terror-stricken inhabitants sought safety in flight. 1776



Autograph of Thomas Paine

The Crisis

Among those who made the march from Fort Lee to the Delaware was Thomas Paine. At night and by winter camp-fires he wrote *The Crisis* which was printed in the *Pennsylvania Journal* of the nineteenth of December. "These," it said, "are the times that try men's souls: The summer soldier and the sunshine patriot will, in this crisis, shrink from the service of his country; but he that stands it now, deserves the love and thanks of man and woman. . . . The harder the conflict, the more glorious the triumph. . . . Heaven knows how to set a proper price upon its goods; and it would be strange indeed, if so celestial an article as Freedom should not be highly rated." The address was read at the head of each regiment and did much to inspire the soldiers for the work before them.



The *American* CRISIS.

NUMBER I.

By the Author of COMMON SENSE.

THESE are the times that try men's ſouls: The ſummer ſoldier and the ſunſhine patriot will, in this criſis, ſhrink from the ſervice of his country; but he that ſtands it NOW, deſerves the love and thanks of man and woman. Tyranny, like hell, is not eaſily conquered; yet we have this conſolation with us, that the harder the conflict, the more glorious the triumph. What we obtain too cheap, we eſteem too lightly:—'Tis dearneſs only that gives every thing its value. Heaven knows how to ſet a proper price upon its goods; and it would be ſtrange indeed, if ſo celeſtial an article as FREEDOM ſhould not be highly rated. Britain, with an army to enforce her tyranny, has declared, that ſhe has a right, *(not only to* TAX*)* but "*to* "BIND *us in* ALL CASES WHATSOEVER," and if being *bound in that manner* is not ſlavery, then is there not ſuch a thing as ſlavery upon earth. Even the expreſſion is impious, for ſo unlimited a power can belong only to GOD.

WHETHER the independence of the Continent was declared too ſoon, or delayed too long, I will not now enter into as an argument; my own ſimple opinion is, that had it been eight months earlier, it would have been much better. We did not make a proper uſe of laſt winter, neither could we, while we were in a dependent ſtate. However, the fault, if it were one, was all our own; we have none to blame but ourſelves *. But no great deal is loſt yet; all that Howe has been doing for this month paſt is rather a ravage than a conqueſt, which the ſpirit of the Jerſies a year ago would have quickly repulſed, and which time and a little reſolution will ſoon recover.

I have as little ſuperſtition in me as any man living, but my

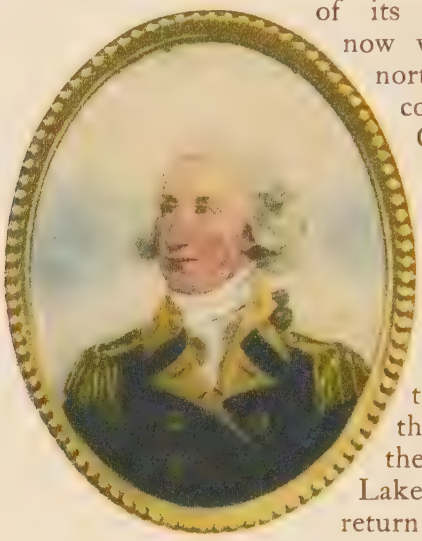
* "The preſent winter" (meaning the laſt) "is worth an age, if rightly employed, but if loſt, or neglected, the whole "Continent will partake of the evil; and there is no puniſhment that man does not deſerve, be he who, or what, or where he will, that may be the means of ſacrificing a ſeaſon ſo precious and uſeful." COMMON SENSE.

First Page of Thomas Paine's *Crisis*

As recorded in the preceding volume, Gates had

1776 relieved Sullivan as commander of "the northern army in Canada" with headquarters at Ticonderoga. By reason of its retreat, that army was now within the limits of the northern department, the commander of which was General Schuyler. The two generals were soon in active rivalry and congress declared that "they had no design to invest General Gates with a superior command to General Schuyler, while the troops should be on this side of Canada." After the naval engagement on Lake Champlain and Carleton's return to Canada, all active military operations in that region were suspended. In October, Thaddeus Kosciuszko, a love-lorn Polish patriot, was commissioned as colonel of engineers and sent to the northern army. In November, Gates had seven thousand three hundred and forty-five "effective" rank and file present for duty and on command; Lee had seven thousand eight hundred and twenty-four "effectives" at North Castle; and Heath had four thousand and sixteen at

The Northern Army



Philip Schuyler

October 18

Thaddeus Kosciuszko

Peekskill; while the muster of Washington's army at Newark showed only five thousand four hundred and ten men for duty. 1776

Lee's Disobedience

While Washington was retreating through New Jersey, he had repeatedly sent word to General Lee at North Castle to join him with the men under his command. But Lee was conscious of his popularity and ambitious to obtain the supreme command. The resignation of General Ward had left him the senior major-general of the continental army; if disaster should overtake Washington, it was almost certain that Lee's ambition would be gratified. East of the Hudson he had a practically independent army in an impregnable position; why should he leave it and go to the aid of his rival? He did not cross the Hudson until Washington was at Trenton; even then his advance was slow, for he hoped by an independent movement to cut the British line of communication and thus "to reconquer the Jerseys." To General Gates, who was bringing reinforcements from the northern army, he wrote that "*entre nous*, a certain great man is most damnably deficient."

December 2

Lee's Capture

White's tavern near Baskingridge, New Jersey, at which Lee wrote this letter, was three miles from his troops. On the thirteenth of December, a party of thirty British dragoons swooped down upon the tavern, seized its most distinguished guest, and hurried him off beyond danger of recapture. The British thought that they had "deprived their opponents of nearly all the military science they possessed." Sullivan promptly marched with the troops thus relieved of Lee and reported to Washington on the twentieth of December. With Sullivan came Gates and reinforcements from the northern army.

From a Chaplain's Diary

The general notion of the conduct of a war includes little more of the functions of an army than killing time in camp; marching and fighting; it largely ignores such prosaic matters as provisions, forage, camp equipage, etc. But every veteran soldier knows that, "like a snake, an army goes upon its belly." In the latter part of 1776,

1776 the commissariat of the Revolutionary army must have been at low mark, but we get a glimpse behind the curtain through a few entries in the unprinted diary of the Reverend David Avery, chaplain of Colonel John Patterson's regiment which had come with Gates from Ticonderoga:

> [December] 16. Monday. . . . Came to Bethlehem & put up on ye west side of the Lahi, a river which forms ye west branch of ye Delaware. Genls. Gates and Sterling with Govr. Livingston, are in town ys evening. The genl. hospital for Genl. Washington's army is moved to this place. Genl. Sullivan wh about 3000 men crost ye Delaware last night & ys morning at Eastown.
>
> 20. Friday. . . . Am informed by the Inhabitants yt Genl. Sullivan's men have stole most all the bees in this neighborhood besides many fowls.
>
> 21. Saturday. . . . We now have 500 head of fat cattle in the rear, this side Bethlehem, which have followed Sullivan's division, several of which came from Connecticut.

The British Army in Winter Quarters

After having missed Washington at Trenton, Howe stationed his troops in scattered cantonments for the purpose of holding the territory, protecting the loyalists, and keeping recruits from the American army. It was his intention, in case the Delaware became bridged with ice, to cross over and take Philadelphia; otherwise he would keep his army in winter quarters until spring. Howe returned to New York and Cornwallis "packed his portmanteaus and sent them aboard ship, intending to sail for England as soon as the fumes of the Christmas punch should be duly slept off." This left the British command in New Jersey in the hands of General Grant at Brunswick. Colonel Rall was at Trenton with six field-pieces and fourteen or fifteen hundred men, mostly Hessians. Colonel von Donop, another Hessian officer, was stationed at Bordentown.

American Coin, 1776

Darkness before Dawn

Even with Sullivan's and Gates's divisions in the American camp, Washington saw that at the beginning of the new year he would have only fifteen hundred men in addition to the militia, and upon the latter he knew that he could not rely. "They come," he said, "you cannot tell how, go, you cannot tell

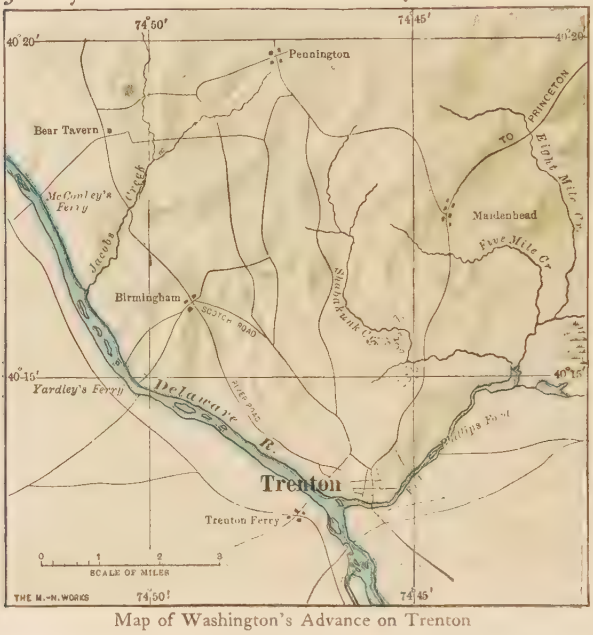
when, and act, you cannot tell where, consume your provisions, exhaust your stores, and leave you at last at a critical moment." To congress he wrote "that ten days more will put an end to the existence of this army" and, in justification of some rather peremptory advice concerning the creating of a new army, said: "A character to lose, an estate to forfeit, the inestimable blessing of liberty at stake, and a life devoted, must be my excuse." In a letter to his brother, he unbosomed himself in these words: "If every nerve is not strained to recruit the new army with all possible expedition, I think that the game is pretty near up." 1776 December 20 December 18

As early as the fourteenth of December, Washington had seen that in the scattered disposition of the British forces lay an opportunity. Resolved to stake all on the hazard, he decided to cross the Delaware and attempt to overwhelm both Rall and Donop. The right wing, under Gates, was to attack the cantonments at Mount Holly, Black Horse, and Bordentown; Ewing's division was to cross below Trenton and prevent Rall from escaping or from receiving any assistance from Donop; while Washington, with twenty-four hundred men, was to cross about nine miles above the town and advance upon it from the north. "Necessity, dire necessity," said Washington. A Hazardous Plan

But Gates pretended to be ill and posted off to Baltimore to intrigue with congress. General John Cadwalader, who succeeded him, found the river so full of floating ice that he abandoned the attempt. Ewing likewise failed to effect a crossing, and both felt sure that Washington had been foiled in the same way. But Washington's was the earnestness of desperation. He had gathered boats at McConkey's Ferry, now known as Taylorville, nine miles above Trenton. As his soldiers marched thither, their route "was easily traced, as there was a little snow on the ground, which was tinged here and there with blood from the feet of the men who wore broken shoes." Glover's "old reliables," as handy with the oar as with the musket, again manned the boats. Christmas Cheer

1776 The little force of twenty-four hundred men represented all the states from New Hampshire to Virginia—men hardened by months of fighting and marching in Canada, at Bunker Hill, around New York, and through the Jerseys. It was well that they were no mere "summer soldiers," for the swift running river was filled with great cakes of floating ice, while snow and sleet pinched and benumbed the men with cold and bade fair to spoil the ammunition. For nine weary hours the men toiled and struggled with the ice. Washington had intended to leave the ferry by midnight, but it was after three o'clock in the morning of the twenty-sixth before the last man reached the Jersey shore, and it was about four o'clock by the time the army was ready to march. "This," says Washington, "made me despair of surprising the town, as I well knew we could not reach it before the day was fairly broke; but as I was certain there was no making a retreat without being discovered and harassed on repassing the river, I determined to push on at all events."

Hardship and Heroism



Map of Washington's Advance on Trenton

The garrison at Trenton consisted of the regiments of Rall, Knyphausen, and Ansbach, fifty chasseurs, and twenty light dragoons, making a total effective force of

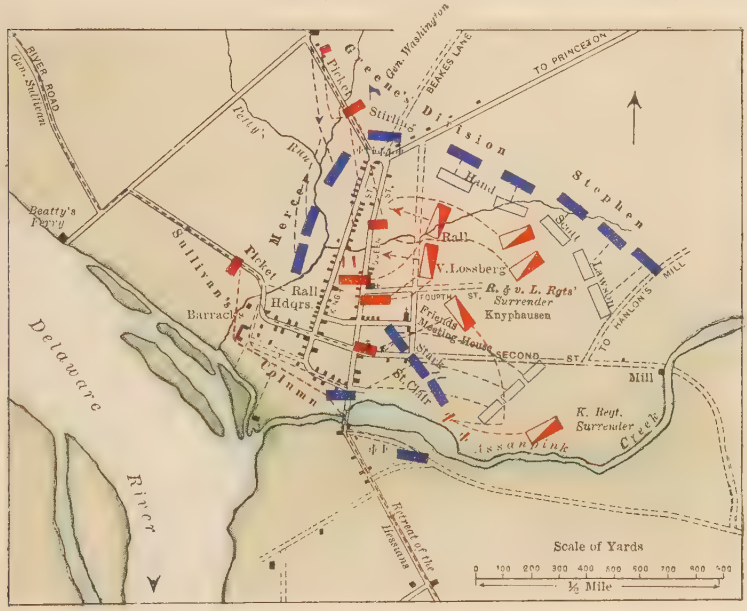
Confidence, Cards, and Wine

a little more than fifteen hundred men. Fortunately, they were so little vigilant that the delay of the Americans was not disastrous. Contrary to Donop's advice, Rall had neglected to erect fortifications. "Let them come!" he had exclaimed in German. "We want no trenches! We'll at them with the bayonet!" He and his men spent the night in drunken revelry; so busy was he with cards and wine that he put into his pocket unread a note that contained a warning of the impending attack. 1776

Autograph of Rall

The Morning March

The road over which the Americans advanced was slippery; at times a storm of sleet beat down upon them; but the wretchedly clad men pressed on to Birmingham. From Birmingham, Sullivan's division moved by the river road, while Greene's, accompanied by Washington, crossed over to the old Scotch road and entered the



Map of the Battle of Trenton

Pennington road one mile from Trenton. It is said that when the town was descried in the early morning

1776 light, Washington waved his sword and exclaimed, "There, my brave fellows, are the enemies of your country. Remember what you are to fight for." The men grasped their firelocks tighter and pressed on to meet the enemy. The supreme moment of the American revolution was at hand.

Surprise and Defeat of the Hessians

At eight o'clock, Greene's division drove in the picket on the Pennington road. Three minutes later, firing on the river road was heard and Washington knew that Sullivan's men were at work. In spite of the lateness of the hour, the Hessians were completely surprised.

Lieutenant Fischer's Map of the Battle of Trenton

A. Advance of provincial troops from John's Ferry. B. Advance on picket *a* and Captain von Altenbockum's company *b*. C. Attack on Trenton. D. March of provincial troops in battalion formation. E. March of Hessian regiments after leaving Trenton. F. Attack of Von Lossberg's and Rall's regiments on Trenton. G. Provincial troops guarding the bridge. H. Retreat of Knyphausen's regiment at the time of the attack on Von Lossberg's and Rall's regiments. J. Surrender of Von Lossberg's and Rall's regiments. K. Attack on *J* by provincial troops. L. Attack on *H* after surrender of Von Lossberg's and Rall's regiments. M. Provincial artillery. N. Rall's cannon. R. Knyphausen's cannon. S. Von Lossberg's cannon. T. Commands which retreated to Burlington.

Under Washington's directions, Colonel Knox placed a battery at the junction of Queen and King (now Warren

and Greene) streets, and its fire created havoc as the Hessians tried to form their lines. The pickets that had been driven in had given the alarm, but the commanding colonel was asleep. It is said that the brigade adjutant called at six o'clock and again at seven, but found that Rall was sleeping soundly. When the firing was heard, the adjutant sent an officer who was on duty with thirty or forty men to support the picket post and then loudly summoned Rall; before the latter stepped into King street, the American shot and shell were being fired down the roadway. His own regiment was the regiment "of the day" and half of the command was instantly under arms. Two cannons that had been stationed in front of the guardhouse were ordered to go ahead and the horses were harnessed when Rall cried in German: "My God! the picket is coming in! Push your cannon ahead!" The drivers shouted and the horses plunged forward, but they did not go far. At the bridge over a little stream now called Petty's Run, they were met by the destructive fire of the American artillery at the head of the street. By the time that Rall's brass 3-pounders had been fired six times, eight of the Hessian detachment had been killed or wounded; with the force available, the guns could not be taken off the street. By this time, Stirling's brigade was at the head of King street and a charge was ordered. Captain William Washington and Lieutenant James Monroe of Weedon's regiment led a quick dash; the captain and his lieutenant were wounded, but the

1776

Cap worn by a Hessian Soldier Killed at Trenton

1776 guns were taken. The story of the fight need not be told in further detail. Rall and his half-formed regiments were quickly driven back. Colonel Stark, who had led Sullivan's column, moved directly to the Assanpink bridge and thus cut off further retreat in that direction. While urging his men forward, Rall was mortally wounded and the Hessians soon laid down their arms. Of the mercenaries, twenty-two were killed and more than eighty wounded. The subsequent capture of stragglers raised the number of prisoners to about a thousand. The American loss was two officers and two privates wounded. Among the trophies were six field-pieces, a thousand stands of arms, four flags, and a dozen drums.

The Evening March

Washington did not deem it wise to risk a long delay on New Jersey soil, but, before leaving Trenton, he visited the dying Rall and, in his hour of splendid triumph, offered "those consolations which a soldier and a Christian can bestow." The victorious troops recrossed the Delaware and by midnight were again in their camps. The countermarch was attended with many hardships and great suffering, but with the lately disheartened command were prisoners of war — a new experience for the American army. The victory inspired the people and infused new life into the army. "Good news from the Jerseys!" was the joyous greeting with which patriots saluted each other. On New Year's day, Robert Morris sent to Washington fifty thousand dollars in specie with which to pay wages and bounties to the men. Regiments whose terms were about to expire were induced to remain; the Revolution was saved.

Cornwallis Hastens to Princeton

The alarm and chagrin of the British almost equaled the rejoicing of the Americans. Cornwallis gave up his projected trip to England and hastened to Princeton where he found Donop throwing up intrenchments. Instead of the war being practically over, the British found it difficult to retain possession of New Jersey. In May, 1779, Lord Germain, speaking in his own defense in the house of commons, said: "All our hopes were blasted by that unhappy affair at Trenton."

1776
1777

Washington Reoccupies Trenton December 29-31

Not content with his victory at Trenton, Washington resolved to try to drive the enemy from New Jersey. Transferring his army across the river for the third time in a week, he reoccupied Trenton, issued another appeal to the New Jersey militia, and took up a position on a ridge south of Assanpink Creek where he was joined by General Cadwalader and General Mifflin who had crossed further down the river. His total force amounted to about five thousand men many of whom were almost without discipline.

Miniature portrait of General John Cadwalader (by Peale) owned by Mr. George McCall of Philadelphia

Cornwallis Advances to Trenton

Meanwhile, Cornwallis had gathered at Princeton a force of nearly eight thousand men. On the morning of the second of January, he marched with most of his army toward Trenton, but left three regiments at Princeton with orders to follow, and a brigade at Maidenhead, now Lawrenceville. On their way, the British met a detachment of Americans under Brigadier-general Fermoy, a French officer who had been sent out by Washington to harass the enemy and to dispute their advance in every way possible. Fermoy returned to Trenton in a questionable manner, but his men behaved with spirit and much delayed the British advance. Some earthworks had been thrown up and a battery planted at a ravine north of the town and here an additional check was interposed by Greene, but the enemy came on driving the Americans into Trenton and across the bridge. By this time it was growing dark and Cornwallis drew back his weary men, expecting to bag "the old fox" in the morning.

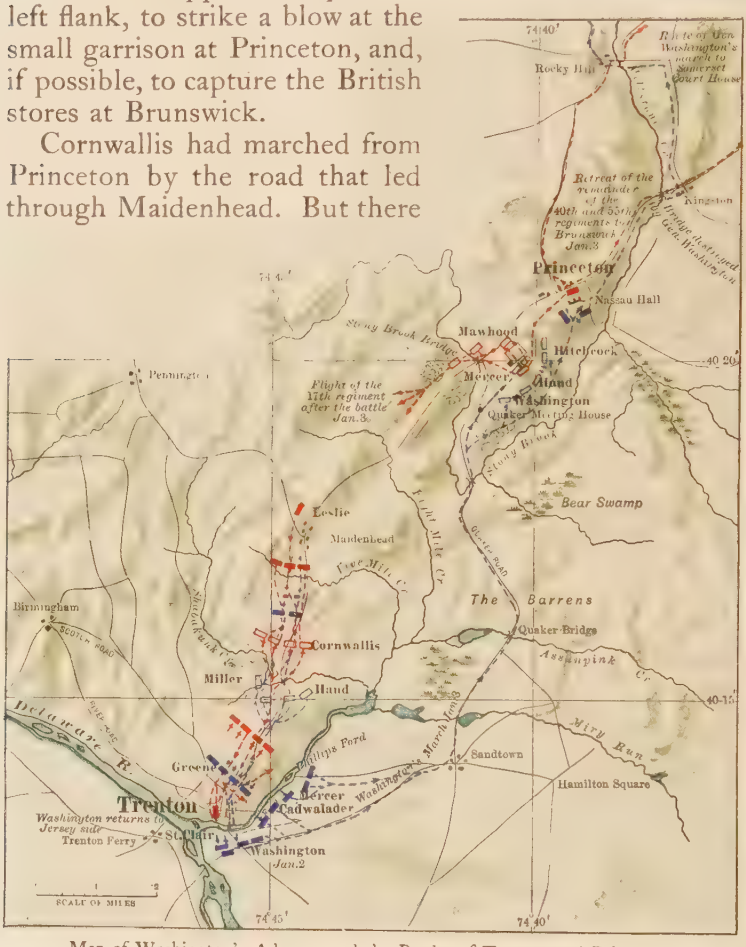
In a Tight Place

As soon as it was dark, Washington called a council to consider the critical situation. The Delaware was filled with floating ice and its passage in the presence of the enemy was out of the question. In another day, Cornwallis would be reinforced by the troops left at Princeton and Maidenhead, and his already superior army would

1777 be so strong that Washington could hardly hope to hold his position. If he should try and fail, his army would be destroyed and the American revolution would be at an end. The council approved a plan to march around the British left flank, to strike a blow at the small garrison at Princeton, and, if possible, to capture the British stores at Brunswick.

Out of the Tight Place

Cornwallis had marched from Princeton by the road that led through Maidenhead. But there



Map of Washington's Advance and the Battles of Trenton and Princeton

was the Quaker road, less used and longer by several miles. The Americans began intrenchments within hearing distance of the enemy and kept the fires burning brightly. About one o'clock, the patriot army, excepting about

four hundred men who remained until morning to feed the fires and to continue the intrenching, silently withdrew and took up their quiet march over the rough, newly-frozen Quaker road. About sunrise, they were at the Quaker meeting-house a mile and a half from Princeton. 1777

Mercer's Gallantry and Death

Washington sent Brigadier-general Mercer with about three hundred and fifty men toward the left to destroy the Stony Brook bridge and thus to delay Cornwallis's expected pursuit and to prevent the escape by that route of the troops in Princeton; with his main force, he moved directly on the village. Two of the three regiments that Cornwallis had left in Princeton had already marched toward Trenton and one of them, the seventeenth, and part of the other, the fifty-fifth, had crossed the bridge. Lieutenant-colonel Mawhood, the acting brigade commander, saw Mercer's troops and, not imagining that the main American army was near, recrossed the bridge. Mercer's men had no bayonets and were unable to stand the charge "for which the British regular has been famous since the days of Marlborough in Europe and Wolfe in America." In trying to rally his men, Mercer was surrounded and, refusing quarter, was repeatedly bayoneted; he died nine days later.

Autograph of Hugh Mercer

Hugh Mercer's Sword

The Battle of Princeton

Washington heard the firing and hastened to Mercer's support. "You may judge of the surprise of the British," says Knox, "when they saw such a large column marching up. They could not possibly suppose it was our army, for that, they took for granted, was cooped up near Trenton." Regardless of personal danger, Washington rode in among Mercer's routed men and succeeded, in a measure, in rallying them. Hitchcock, Hand, and Cadwalader forced the fighting, and Mawhood retreated, leaving his artillery behind him. After having fought bravely, the regulars took to their heels, threw

January 3

1777

Uniforms of Officer and Private, Seventeenth Foot (British)
(Drawn by P. W. Reynolds, Chelsea, England)

away their guns, and, "scattered down the road, up the creek, and over the fields pursued by the shouting Americans." Most of the remnant of the seventeenth regiment fled toward Maidenhead or across the fields toward Pennington. The fifty-fifth rejoined the fortieth in the town, but, after a short stand near the college buildings, they were soon in full retreat across the Millstone toward Brunswick. Nearly two hundred who were lodged in Nassau Hall were made prisoners; the walls of the building still show marks of

Nassau Hall

the battle. The American loss was about forty killed and wounded; the British loss was one hundred killed and nearly three hundred wounded and prisoners. After following the fleeing regiments to Kingston, Washington turned to the north and, at Somerset Court House, went into camp for the night. He was obliged to give up his plan of capturing the British stores at Brunswick, for his men, "having been without rest, rum, or provisions for two days and nights were unequal to the task of marching seventeen miles further." On the following day, the now victorious army marched to a well-chosen mountain camp near Morristown and there went into winter quarters. It was a long six months since the declaration of American independence. 1777

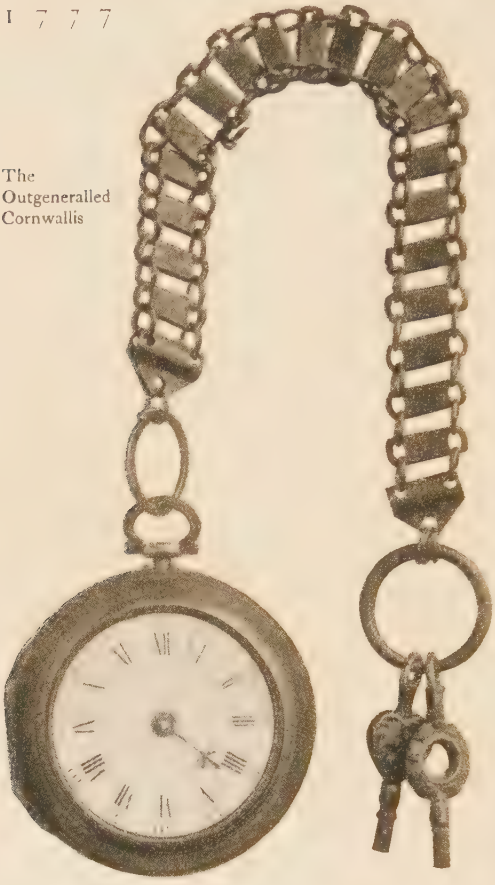
Rum Keg
(Belonged to James Dickerson and Thomas Peabody, of Shirley, Mass.)
Direct reproduction, by courtesy of John E. L. Hazen

Colonel Daniel Hitchcock, a native of Massachusetts and a graduate of Yale, had commanded the eleventh Rhode Island regiment at the siege of Boston, had served under Greene in the fortifying of Long Island, and was with Washington at Harlem Heights. In the stormy day that was crowned with the surprise and defeat of the Hessians at Trenton, he took a violent cold. A few days later, at Princeton, he commanded Nixon's "New England brigade" and, although suffering with the illness that soon resulted in his death, acted with such gallantry that Washington thanked him in the presence of the army and Greene gave him his watch as a testimonial of gratitude and friendship. That watch lies on my desk as I write this paragraph. Hitchcock died of

Hitchcock's Death

1777

The Outgeneralled Cornwallis



All's Well that Ends Well

Daniel Hitchcock's Watch
(In possession of the author)

dysentery in camp at Morristown on the thirteenth of January and was buried on the fourteenth with all the honors of war.

When Leslie, who was in command at Maidenhead, heard the firing in his rear, he at once marched to Princeton and came in sight of the Americans just as they had destroyed the bridge over Stony Brook. An hour after the Americans left Princeton, Cornwallis entered the town "in a most infernal sweat, running, puffing, and blowing, and swearing at being so outwitted." Until he heard the guns at Princeton, he had thought that Washington was in front of him at Trenton. Realizing that his stores were in danger, he made no further attempt to follow Washington and, without ceremony, fell back to Brunswick.

Thus closed one of the most remarkable campaigns in the history of warfare. After a season of unrelieved disaster, the American commander of a discouraged and dissolving army had, in ten days, saved Philadelphia, redeemed all of New Jersey except the posts of Brunswick and Amboy, put a victorious and haughty enemy on the defensive, and dissipated the British dream of speedy conquest. Frederick the Great pronounced the work of that brief period "the most brilliant of any recorded in the annals of military achievements." In

1874, just after the Franco-Prussian war, Von Moltke expressed a similar opinion: "One of the world's very greatest strategists; . . . no finer movement was ever executed; . . . the affair at Princeton was the climax." The tide had turned. Americans were filled with new enthusiasm and recruits once more began to appear. Measured as the crow flies, it is less than thirty miles from Morristown back to Brooklyn Ferry, but measured by the intervening suffering and sorrow or by the transition from gloom to gladness, a mighty ocean lay between. 1776 1777

The Authority of Congress

On the eleventh of June, 1776, in conformity with Richard Henry Lee's resolution, congress had voted that a committee be appointed "to prepare and digest the form of a Confederation to be entered into between these Colonies." On the eleventh of July, this committee reported a draft that was printed and then debated until congress grew weary of considering it. After amendment, it was adopted by the delegates in November, 1777, after which it was submitted to the states for ratification. Maryland was the last of the states to give its approval; her delegates signed the engrossed copy on the first of March, 1781,—the legal date of the articles of confederation. Until that date, congress continued a revolutionary body, but it exercised the political power of the country and was recognized by all the colonies as *de jure* and *de facto* the national government.

The New Levies

In the meantime, congress somewhat reluctantly took up the task of raising a new continental army. On the sixteenth of September, 1776, it authorized the organization of eighty-eight battalions of seven hundred and fifty men each. The men were to be enlisted for three years or the war. A bounty of twenty dollars was to be paid each recruit and those who served to the end of the war were to be entitled to one hundred acres of land. The several states were assigned quotas according to ability, Massachusetts and Virginia being called upon for fifteen battalions each, Pennsylvania twelve, Connecticut and

1776 1777 Maryland eight each, New York and New Jersey four each, Delaware and Georgia one each, etc. "Then congress thought it had created an army."

Congress Seeks Safety at Baltimore

On Wednesday, the eleventh of December, congress by resolution denounced as false a rumor of contemplated flight from Philadelphia and, in view of the distressing condition of the American cause, adopted another resolution calling for a day of fasting and humiliation. But such parliamentary action could not stop the advance of the British

December 13

troops across New Jersey, and, two days later, congress adjourned to meet again at Baltimore as already described. A week later, the delegates assembled in the Maryland metropolis and resumed their sessions in a room in Fite's three-story brick tavern, later known as Congress Hall.

Washington is Made "Dictator"

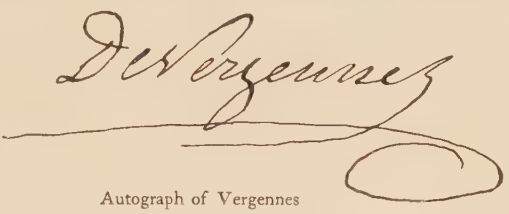
At the end of another week, and before the surprise of the Hessians at Trenton was known at Baltimore, congress, in "perfect reliance on the wisdom, vigour, and

December 27

uprightness of general Washington," vested him "with full, ample, and complete powers to raise and collect together, in the most speedy and effectual manner, from any or all of these United States, sixteen battalions of infantry in addition to those voted by Congress; to appoint officers for the said battalions of infantry;" and, in addition, three thousand light horse, three regiments of artillery, and a corps of engineers, and to establish their pay; "to appoint all officers under the rank of brigadier-general; . . . to take, wherever he may be, whatever he may want for the use of the army, if the inhabitants will not sell it, allowing a reasonable price for the same; to arrest and confine persons who refuse to take the Continental Currency or are otherwise disaffected to the American cause;" and that "the foregoing powers be vested in general Washington, for and during the term of six months from the date hereof, unless sooner determined by Congress." On Thursday, the twenty-seventh of February, Washington's successes at Trenton and Princeton having made Philadelphia safe, congress adjourned "to 10 o'clock on Wednesday next to meet at the State House in Philadelphia."

In the spring of 1776, Silas Deane of Connecticut was sent to France as the secret political and financial agent of congress. After Vergennes, the wily minister of foreign affairs, heard of the declaration of independence, he accorded Deane an interview—the beginning of fruitful diplomatic relations between France and the United States. Before the end of the year, Deane had secured for the American armies thirty thousand stand of arms, thirty thousand suits of clothes, more than two hundred and fifty cannons, and other military stores. In September, congress chose Benjamin Franklin and the somewhat querulous Arthur Lee to act with Deane as commissioners for the negotiation of treaties with foreign powers. The story of foreign aid to the rebellious colonists of the traditional enemy of France will be told more fully in a later chapter.

1776 Seeking Foreign Aid



Autograph of Vergennes

In conformity with the suggestions of the New York provincial congress, congress had voted to issue two million dollars in continental bills of credit. A month later, another million was authorized and the liability for the three millions was distributed among the colonies; the bills were to be redeemed in four annual installments beginning at the end of four years. In November, an additional three millions were authorized, to be redeemed in four annual installments beginning at the end of eight years. In February, 1776, came an order for four millions more, of which one million was to be in bills of less than a dollar each—the prototype of the "fractional currency" of the civil war. In April, a standing committee and an auditor-general were appointed—the protoplasm of our present treasury department. In May, came an issue of five millions, and in August, an issue of five millions more. With twenty million dollars of continental money on the market, the value of the bills had been remarkably well maintained. But the individual

Continental Finance

July 27, 1775

1777 states were also freely printing paper money. In the general gloom that came with the loss of New York and the continued ill-success of the American arms, the value of the continental money rapidly fell, and, as we have seen, Washington was authorized to arrest and confine those who refused to take the bills. While at Baltimore, congress approved a New England convention scheme for regulating prices and, while its bills were passing at

January 14 half their face value, resolved that the continental currency "ought to pass current in all payments, trade, and dealings, and be deemed equal in value to the same nominal sums in Spanish dollars," and that they who refused so to accept them ought to be considered "enemies of the United States" and visited by the local authorities with "forfeitures and penalties." But prices would not be regulated by legislation, and congress was

February 27 forced to renew the issue of bills of credit. The financing of the Revolution will be considered further in the fifteenth chapter of this volume.

CHAPTER III

BRANDYWINE AND GERMANTOWN

FROM his New York prison, Ethan Allen wrote to the Connecticut assembly that he "had suffered everything short of death." The treatment of General Lee was perhaps less rigorous, but his case was more complicated, for the British held that he was a deserter. Late in December, 1776, Washington sent a flag of truce to inquire about Lee's treatment; a little later, he gave warning that any violence committed upon Lee's "life or liberty, will be severely retaliated upon the lives or liberties of the British officers, or those of their foreign allies, at present in our hands." On the twentieth of December, Sir William Howe had reported to Lord Germain some of the difficulties of the case and, in September, his majesty consented that Lee, "though deserving the most exemplary punishment" as a deserter, might be considered as a prisoner of war subject to exchange.

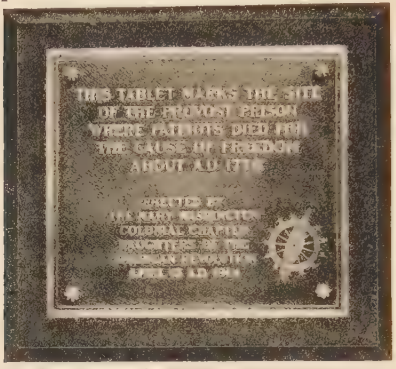
Lee in Captivity

January 13, 1777

Meantime, Lee had submitted to the Howes a scheme for the subjugation of the rebels. Carleton's army was to keep the New Englanders east of the Hudson, fourteen thousand British were to clear the Jerseys and seize Philadelphia, while four thousand more were to go by sea and occupy Alexandria and Annapolis; promise of pardon was to follow. "I am so confident of the event that I will venture to assert with the penalty of my life if the plan is fully adopted, and no accidents (such as a rupture betwixt the Powers of Europe) intervene that in

Lee's Treasonable Plan

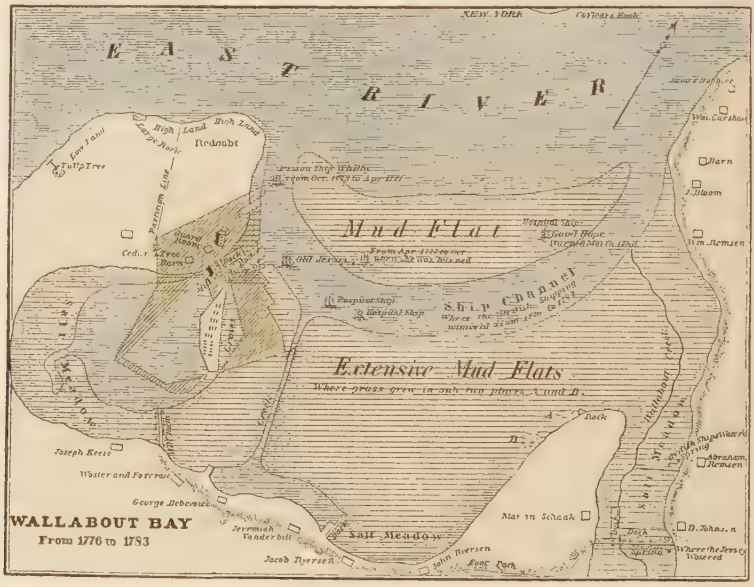
1777 less than two months from the date of the proclamation not a spark of this desolating war remains unextinguished in any part of the Continent." This treachery on Lee's part was not disclosed until eighty years later when the document, indorsed "Mr. Lee's Plan, 29th March, 1777," was found among the papers left by Sir Henry Strachey, secretary to the Howes. Whether Howe's plans for the coming campaign were in any way influenced by Lee's scheme will probably remain a matter of conjecture.



Commemorative Tablet on the Site of the Provost Prison

British Prison Pens

Many of the patriot prisoners were less fortunate than Lee. In New York, where most of them were held, the soldiers were crowded into churches and sugar-



Map of Prison Ship Stations in Wallabout Bay

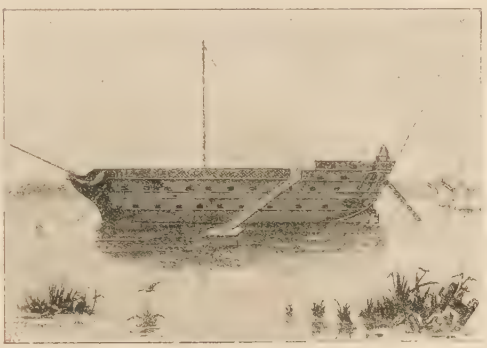
houses, ill fed, ill clothed, without fires, and at the mercy of a provost-marshal who enriched himself by "feeding the dead and starving the living." Sickness soon became general and "many lay for six, seven, or eight days in all the filth of nature and of the dysentery, till death, more kind than the Britons, put an end to their misery." The mortality was frightful, while many of those who secured release fell on the way to their homes or died soon after their arrival. With perhaps some exaggeration, it was declared that General Howe had "discharged all the privates who were prisoners in New York: one half he has sent to the World of Spirits for want of food; the other he hath sent to warn their countrymen of the danger of falling into his hands, and to convince them, by ocular demonstration, that it is infinitely better to be slain in battle than to be taken prisoner by British brutes."

1777

January

Bad as were the prison pens, the prison ships were worse. The most infamous of these was the "Jersey," an old dismantled "sixty-four" with port-holes closed and two rows of iron-barred breathing holes in her sides. The "Jersey" was a type of all the prison ships and she was called "The Hell." Stationed at first off the Battery, she was soon removed to the more secluded anchorage of Wallabout Bay. Among the other ships were the "Hunter" and the "Whitby" (a hospital ship); the "Scorpion" and the "Stromboli" (significant names); and the "Good Hope" (cruel irony). Most of these prisoners were privateers and, as the American "navy" generally paroled its prisoners instead of bringing them into port for exchange, the confinement of those held in

British Prison Ships

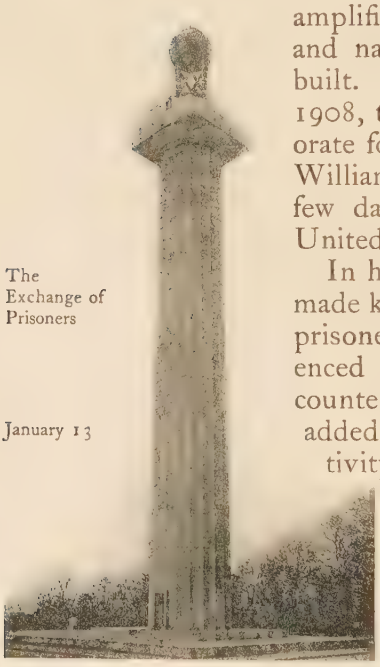


British Prison Ship "Jersey"

1777 the floating dungeons was worse than that of the inmates of the church and sugar-house prisons in duration of captivity as well as in intensity of suffering. "The highest privilege to which any prisoner could aspire was to go ashore with a burying party."

> Each day at least six carcasses we bore,
> And scratched their graves along the sandy shore.

There are no records that tell the number of those who perished in these hulks, but it is estimated that more than ten thousand died in the "Jersey" alone. Most of the dead were buried without ceremony. In 1808, their remains were placed in a temporary vault over which was laid a still preserved marble slab. In 1873, the remains were removed to an unmarked tomb in Fort Green Park. A quarter of a century later, the work of building a monument was renewed; individual generosity was amplified by contributions from city, state, and nation, and thus the monument was built. On the fourteenth of November, 1908, the memorial was dedicated with elaborate formalities that included an oration by William H. Taft who had been elected, a few days before, to the presidency of the United States.



Prison Ship Martyrs' Monument

The Exchange of Prisoners

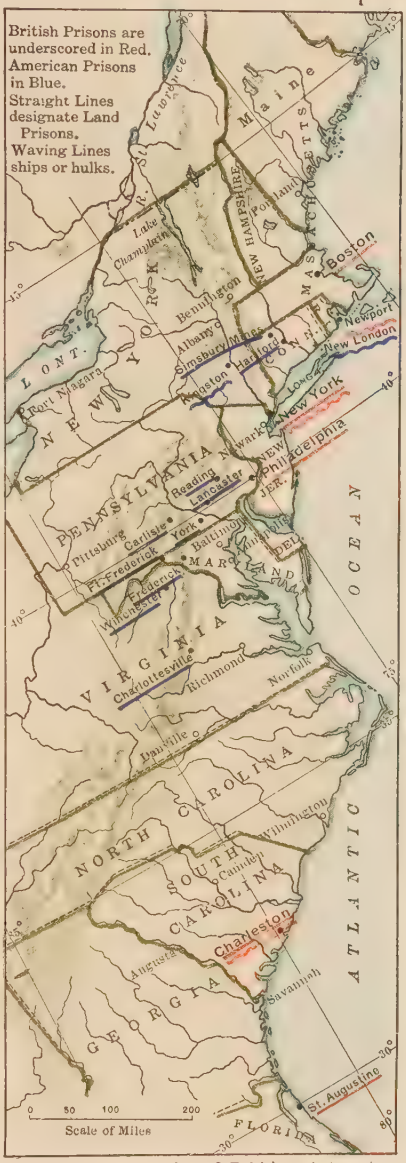
January 13

In his letter concerning Lee, Washington made known to General Howe that released prisoners had reported the barbarities experienced and that "their miserable, emaciated countenances confirm" their stories. He added: "If you are determined to make captivity as distressing as possible to those whose lot it is to fall into it, let me know it, that we may be upon equal terms, for your conduct must and shall mark mine." Finally a cartel for a general exchange of prisoners was agreed upon, but the men given up by Howe were so broken down by their captivity that Washington refused to consider

them exchanged and would not return for them an equal number of able-bodied British soldiers. 1777

It is only fair to suggest that the British had looked upon their prisoners as criminals rather than as captives. "The stigma of rebels," says Irving, "seemed to take from them all the indulgences, scanty and miserable as they are, usually granted to prisoners of war." It seemed as if the very ties of consanguinity rendered the hostility of the British soldiery more intolerant, for it was observed that American prisoners were better treated by the Hessians than by the British. On the other hand, the Americans were guilty of many cruelties. Tories were tarred and feathered and ridden on rails; some were murdered and the property of others was confiscated; the British prison ships were scarcely less humane than was the mine at Simsbury in Connecticut in which Tories were confined.

Glass Houses

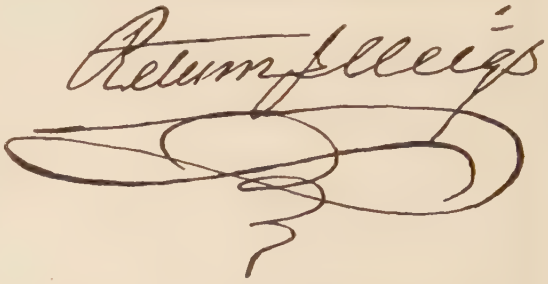


Map Showing Location of British and American Prisons of War during the Revolution

The campaign of 1777 opened with some inter-

1777 Tit for Tat

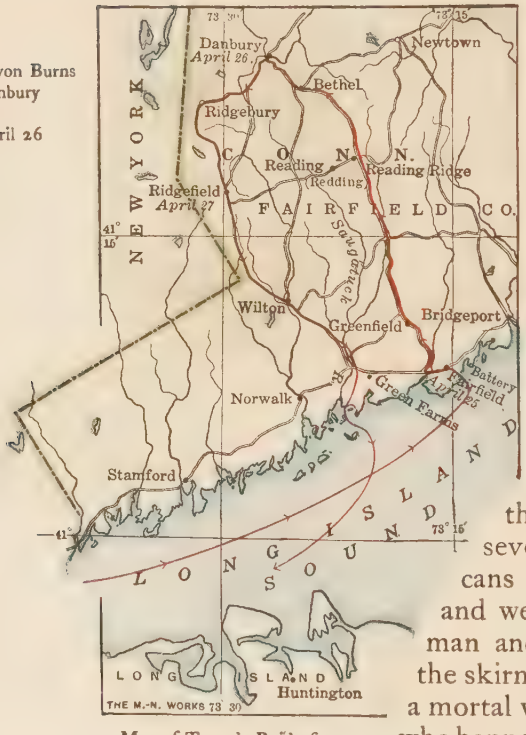
esting minor movements. On the twenty-third of March, a British force captured and destroyed an American depot of supplies at Peekskill on the Hudson and, late in May, Colonel Return Jonathan Meigs, with about one hundred and seventy men, crossed from Guilford, Connecticut, to Sag Harbor on Long Island and, without losing a man, burned a large quantity of British stores and twelve brigs and sloops, one of which carried twelve guns.



Autograph of Meigs

Tryon Burns Danbury

April 26

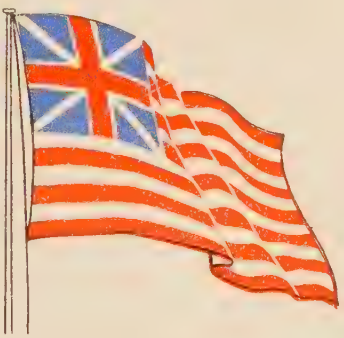


Map of Tryon's Raid of 1777

In April, William Tryon, royal governor and British major-general, landed near Fairfield, Connecticut, and marched thence to Danbury where he burned part of the town and destroyed more than sixteen hundred tents and other stores—a serious loss to the ill-supplied Americans. On the retreat, the British were severely harassed by Americans who had risen in arms and were led by generals Silliman and Wooster. In one of the skirmishes, Wooster received a mortal wound. General Arnold who happened to be in the neighbor-

hood on a visit, soon arrived with several hundred militia and a desperate fight followed. Arnold had two horses shot under him. When the first horse fell and the rider was extricating his feet from the stirrups, a Tory called upon him to "Surrender!" "Not yet," answered Arnold, as, freeing himself, he drew a pistol, shot the Tory, and escaped through whizzing bullets to the woods. The British made their way to their convoy with a loss of about forty killed, many wounded, and some captured. Trevelyan, an English historian, says: "It was Lexington over again, in every particular, except that at Lexington the Royal forces had been commanded by a man of honour." 1777

While at Baltimore, congress had appointed five new major-generals, Stirling, Mifflin, Saint Clair, Stephen, and Lincoln, passing over Arnold who was senior brigadier. The pretext for this strange proceeding was that Connecticut already had two major-generals and ought not to have another, but the real reason lay deeper. Horatio Gates's intrigue was aided by New England hostility to Schuyler. As Schuyler's conspicuous friend, Arnold was disliked by Schuyler's enemies, and by others he was blamed for the disasters of the northern campaign. Arnold was incensed by the injustice of congress, but, soothed by Washington, he consented to remain in the army and to serve under those who lately were his inferiors. After the Tryon raid, congress gave him a fine horse and a major-general's commission, but did not restore him to his relative rank. The Imperfect Righting of a Great Wrong February 19



The First Flag

At the beginning of 1776, the union flag of thirteen stripes, alternate red and white, with the crosses of Saint George and Saint Andrew had been unfurled in the camp

The First Flag of the Union (a reconstruction)

1777 of Washington's army around Boston. The joined crosses indicated that, although the American colonies had united for defense against England's tyranny, they still acknowledged her sovereignty. After the declaration of independence, the British "union" was removed from the colors of the new nation. On the fourteenth of June, 1777, congress adopted the following:

> Resolved, That the flag of the thirteen United States be thirteen stripes, alternate red and white: that the union be thirteen stars, white in a blue field, representing a new constellation.

Each year, the people of the United States celebrate the fourteenth of June as "Flag Day."

Plans for the Campaign

From the first week in January to the last week in May, there was no military movement of general importance. Washington and his army were at Morristown. Many of the men went to their homes and others came to take their places. But the new army materialized with difficulty and delay; in March, Washington had not more than four thousand men upon his muster-rolls and the enemy was preparing to wage the next campaign on the grand scale, following the plan of 1776. Burgoyne was to advance up Lake Champlain, take Ticonderoga, and then seize Albany. Saint Leger, with a smaller force, was to advance by way of Oswego and the Mohawk and effect a junction with Burgoyne. General Howe, meanwhile, was to force his way up the Hudson and meet the other two at Albany, thus cutting off New England from the other colonies.

Howe's Pigeonholed Instructions

The plan was an attractive one, but it called for close coöperation and, as the event proved, that was lacking. There is a somewhat doubtful story to the effect that Burgoyne and Saint Leger received definite orders, while

June 5

Howe received a copy of the plan but no instructions for himself. It is said that when the letter for Howe was brought to Lord Germain for signature, it was found that it had not been "fair copied." Germain was on the point of leaving London and, unwilling to lose his holiday, hurried off, intending to sign the letter on his return; when he came back, the matter had slipped his mind.

On the twenty-eighth of May, Washington broke camp at Morristown and took position at Middlebrook on the Raritan, about ten miles from Brunswick. As though left free by Germain's slip of memory, Howe maneuvered for three weeks in the hope of bringing on a general engagement; foiled by Washington's masterly strategy, he then withdrew his army to Staten Island and prepared to make an attempt on Philadelphia by sea. Early in July, he began to embark his forces and, after hearing of the capture of Ticonderoga, sailed from Sandy Hook with more than two hundred and fifty vessels and about eighteen thousand troops. General Clinton was left with six or seven thousand men in New York. On the thirtieth, the fleet arrived off the Delaware; then for more than three weeks it disappeared from view.

1777 Howe at Sea

July 23

The departure of Howe's army and the British fleet left the Americans in deep suspense. Believing that Howe would go up the Hudson, Washington had transferred his army to Ramapo, New York, to be ready to oppose him. When he became satisfied that the fleet had left Sandy Hook, he set out for the Delaware, but held himself ready to countermarch. "Genl Howe's in a manner abandoning General Burgoyne is so unaccountable a matter that, till I am fully assured it is so, I cannot help casting my Eyes continually behind me," he wrote to Gates. On the same day, Burgoyne wrote to Lord Germain: "I have spared no pains to open a correspondence with Sir William Howe . . . and am in total ignorance of the situation or intentions of that general." The next day, upon receiving news of the appearance of the fleet off the capes of the Delaware, Washington advanced to Germantown, but, when the fleet again disappeared, he led the main army into camp on the Neshaming Creek, about twenty miles north of Philadelphia. So puzzled were the Americans that, on the twenty-first of August, a council of war rendered the unanimous opinion that Howe had probably sailed for Charleston and that the army should immediately return to the Hudson in order that Burgoyne could be opposed

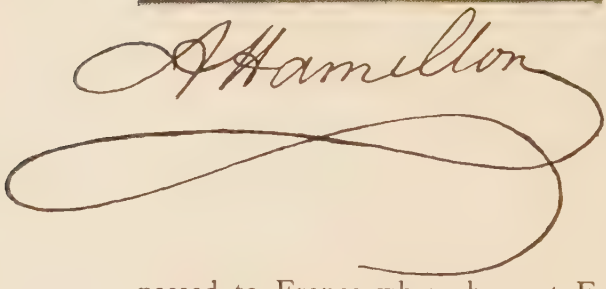
Washington and Burgoyne at Sea

July 24

July 30

1777 or New York attacked. Washington at once sent one of his aides, Colonel Alexander Hamilton, to report the conclusion of the council to congress and to seek its decision on the matter. Congress promptly approved the decision, but, on the following day, word was received that immediately changed the plan of operations.

Pulaski



Leaving the British fleet at sea, we turn our attention for a moment to three European officers who, in the summer of 1777, entered the service of the young republic. Count Casimir Pulaski was a native of Poland whose estates had been confiscated; outlawed and with a price upon his head, he escaped to Turkey and thence passed to France where he met Franklin. As a result of this meeting, Pulaski came to America, became a member of Washington's staff, and, on the fifteenth of September, was appointed commander of the cavalry with the rank of major-general. As the native officers would not be reconciled to the orders of a foreigner who could speak little English and whose ideas of discipline and tactics differed widely from their own, Pulaski resigned

his command in March, 1778. By authority of congress, he then recruited, chiefly at Baltimore, three companies of cavalry armed with lances and three companies of light infantry—a corps that became famous under the name of Pulaski's legion. 1777

Kalb

The Baron de Kalb

Another officer was the "Baron" Johann de Kalb, a native of Bayreuth who had risen to the rank of brigadier general in the French army. He had taken part in the Seven Years' war and, in 1768, was sent to America as the secret agent of the French government. In 1777, he agreed with Deane to join the continental army, came to America with Lafayette, and was made a major-general. Both Pulaski and Kalb were to give their lives to the cause in which they now embarked. September 15

The third officer was the Marquis de Lafayette, not yet twenty years of age, the possessor of a large fortune, the husband of a charming wife, and one of a family that for centuries had been distinguished in French history. In August, 1775, while stationed at Metz as a captain of artillery, he heard the duke of Gloucester, brother of the English king, give an account of the American revolt. Before he left the table, he resolved to offer his services to America. At Paris, he found grave and unexpected difficulties; France was not ready to take action that might result Lafayette

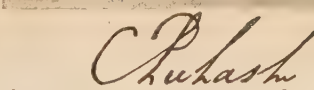
Banner of the Pulaski Legion
(Preserved in the collection of the Maryland Historical Society)

in war with England. But Lafayette persevered and was introduced by Kalb to Deane who promised him a major-general's commission. 1777

An Earnest French Ally

Secretly and at his own expense, Lafayette fitted out a ship at Bordeaux. In safe disobedience of orders from the court, he put to sea with Kalb and twelve other French officers. They landed in South Carolina in June and, a month later, were at Philadelphia. European "counts" were coming to America then somewhat as they do today, and congress was so beset by them that Lafayette and his companions met with a cool reception. But the marquis explained that he wished to serve as a volunteer and at his own expense and congress appointed him a major-general. The eager youth reported at army headquarters on the Neshaming and was received into the military family of the commander-in-chief. The friendship thus begun was ended only by death. Some of the other officers were disappointed and returned to France.

April 20



July 31

Two days after Lafayette's arrival in the American camp came the news of the appearance of the British fleet in Chesapeake Bay. At Philadelphia there was a strange mixture of consternation and lukewarmness and Washington marched his army through the streets with the hope that the display might "have some influence on the minds of the disaffected there." From the continental

Howe's Fleet Reappears

August 24

1777 capital, the army advanced without delay to Wilmington. About this time came cheering news from Stark at Bennington, of which more in a later chapter.

Howe's Advance toward the Brandywine

On the day that Washington arrived at Wilmington, the British, eighteen thousand strong, landed a few miles below the head of Elk [Elkton]. On the third of September, they drove back Maxwell's picked corps. It has been claimed that, while passing through Philadelphia, some of the Delaware troops had secured flags made in accordance with the statute of the fourteenth of June and that, in this skirmish near Coochs bridge, the stars and stripes were first under fire. Of this there is no definite proof, only a presumption. It is possible, perhaps probable, that the new flag was displayed then and there, but it is known (and knowledge is more conclusive than presumption) that the stars and stripes had been used in action a month before at Fort Schuyler, as will be explained more fully in the next chapter. In seeking

August 3

to discredit the Fort Schuyler claim, some Delaware historians have asserted that the flag there used was "merely an improvised one, in no sense complete and regular." It certainly was improvised, but I know of no reason for imagining that it was irregular or incomplete. After the affair of the third of September, the Americans took up a position back of Red Clay Creek, but, early in the morning of the ninth, fearing that the enemy meant to march around his right wing, Washington fell back to a new position behind the Brandywine. The British followed leisurely and prepared to give battle. 1777

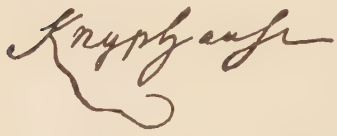
Uniform of Colonel Moylan's Fourth Regiment of Light Dragoons (American)
(From original drawing by Harry A. Ogden)

The American Position

The Brandywine is formed by the union of two smaller creeks known respectively as the East and West branches. Though its banks were then steep and bordered by forests, it was fordable at several places. The center of the American army lay at Chads Ford on the main road to Philadelphia; it consisted of Weedon's, Muhlenberg's, and Wayne's brigades and Maxwell's light infantry, all under command of Major-general Greene. The left wing, consisting of the Pennsylvania militia under General Armstrong, extended to Pyles Ford below — naturally the strongest part of the line. The right wing consisted of Stirling's, Stephen's, and Sullivan's divisions with Sullivan in command. The total effective force amounted to about eleven thousand men; the position that they held was not especially strong.

The British army was at Kennett Square and stronger by several thousand. Believing that an attack in front Howe's Plan

1777 would be hazardous, Howe resolved to try his favorite plan, the one that had worked so well on Long Island.



Autograph of Knyphausen

With a force variously estimated at from five to seven thousand, Knyphausen was to advance by the direct road to Chads Ford and occupy the attention of the rebels while a stronger column, commanded by Cornwallis and accompanied by Howe, was to make a long detour to the left, cross the branches of the Brandywine, and fall upon the rear of the American right wing.

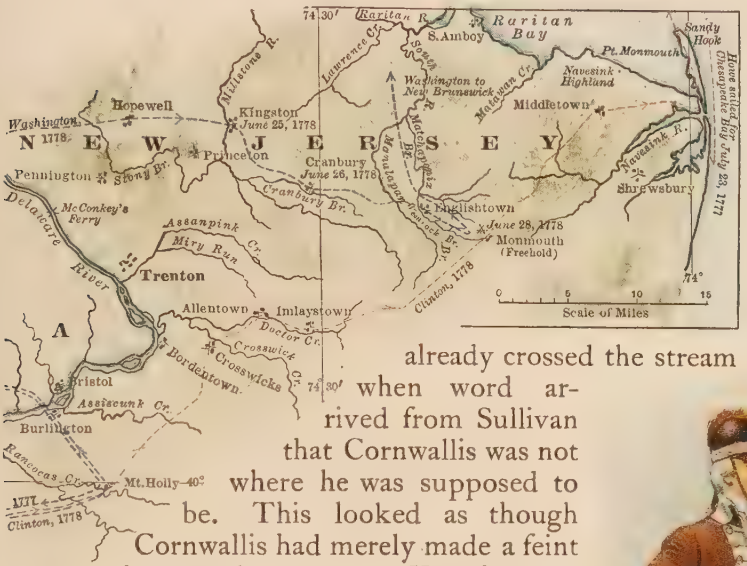
Uncertain and Contradictory Information

The flanking column set out from

Map of Campaigns about Philadelphia

Kennett Square about daybreak of the eleventh. Knyphausen advanced as intended, drove Maxwell back across the Brandywine, and made demonstrations as if to cross the ford. Toward noon, Washington received word from Sullivan of the movement of Cornwallis. He at once ordered Sullivan to cross the Brandywine to prevent

Cornwallis's return while he advanced to overwhelm the Hessian. But the Napoleonic project was destined not to be carried into effect. Some of Greene's troops had 1777



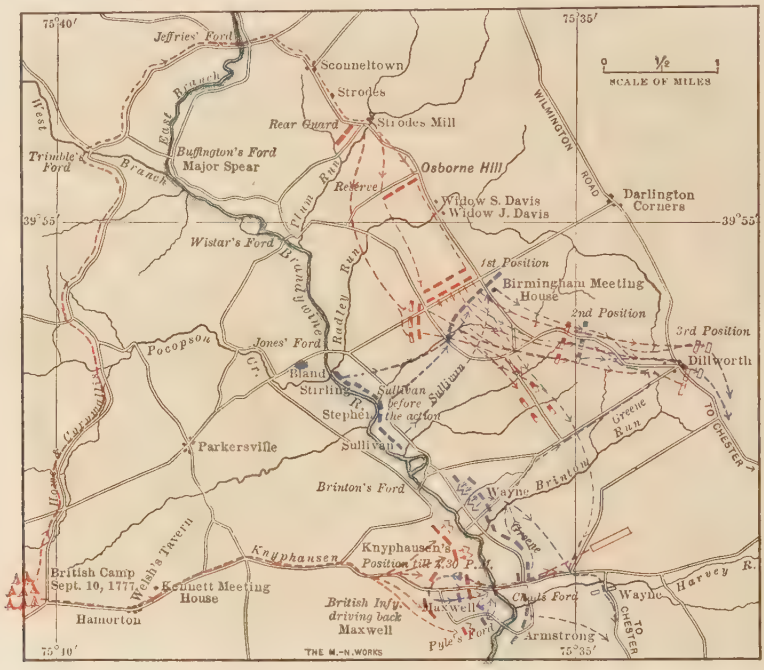
already crossed the stream when word arrived from Sullivan that Cornwallis was not where he was supposed to be. This looked as though Cornwallis had merely made a feint and was ready to support Knyphausen; Greene's advanced detachment was recalled; the opportunity was lost. About an hour later, a civilian rode in haste to Washington's headquarters and announced that the British had crossed the two branches of the Brandywine and were marching down so rapidly that if the Americans did not make haste they would be surrounded. Almost immediately a dispatch from Sullivan arrived saying that "Colonel Bland has at this moment sent me word that the enemy are in the rear of my right, coming down."

Uniform of First Troop, Philadelphia Light Horse
(From original drawing by Harry A. Ogden)

As on Long Island, the battle was thus virtually decided before it was begun. Owing to the failure adequately to guard the upper fords and to keep out scouting parties (for which Sullivan has been blamed by

1777 Cornwallis Pushes the Action

some), the Americans found themselves in a position escape from which was all that they could reasonably hope. Stirling's and Stephen's divisions deployed on the hill southwest of Birmingham meeting-house, but, before Sullivan got his own division into position, Cornwallis began the attack. Sullivan's division was forced



Map of the Battle of Brandywine

into confusion and badly routed; the two other divisions fought vigorously, but they were outnumbered, their flank was exposed, and in the end they were driven back. While trying to rally some of the fugitives, Lafayette received a severe wound in the leg.

The British Win the Battle

Meanwhile, Washington was hastening with Greene's division to support the right wing. Greene moved with commendable alacrity, and, after allowing the fugitives to pass, seized a narrow defile with woods on both sides and held it until nightfall. In the meantime, Knyphausen pushed across Chads Ford. For a time, Wayne, Proc-

tor, and Maxwell held him in check, but, hearing of the defeat of the right wing, they fell back fighting and in good order toward Chester where that night the broken army was reunited. The American loss was about a thousand men, a howitzer, and ten cannons. The British loss in men was not much if any less. 1777

On the following day, Washington marched his army from Chester to Philadelphia. After two days' rest at Germantown, he recrossed the Schuylkill and, on the sixteenth, was again facing the enemy. A pitched battle was imminent and skirmishing had actually begun when a storm of extraordinary violence wet the ammunition of both parties and thus forced a cessation of hostilities. Washington retired behind the Schuylkill leaving Wayne to hang upon the flanks and rear of the enemy and to attack him if opportunity favored. On the nineteenth, Wayne was at Paoli, within half a mile of Howe's army and sure that his position was unknown to the enemy. But Howe, well informed as to Wayne's movements, sent out a strong detachment commanded by Major-general Grey and led by Tory guides. About midnight of the twentieth, an hour or two before Wayne intended to strike Howe, Grey struck Wayne. Depending wholly on the bayonet, the British

Wayne at Paoli

Standard of the Philadelphia Light Horse Troop of 1775
(Now in the possession of the First Troop, Philadelphia City Cavalry. The reproduction, made through courtesy of Captain J. C. Groome, shows its present appearance)

1777 suddenly fell upon the American pickets. Before Wayne's men could form, Grey's infantry and dragoons were upon them with bayonet thrust and sabre cut and working dreadful havoc. The Americans were driven two miles through the woods and more than a hundred and fifty were killed or wounded. No one could justly complain of the chance of battle, but the action is recorded as the "Paoli Massacre."

Anthony Wayne

The Second Flight of Congress

The roar of the artillery at Brandywine swept through the streets of Philadelphia and, in excited groups, the citizens discussed the situation. On the seventeenth, congress made Washington a sixty days' dictator in the territory within seventy miles of the headquarters of the American army. The regnant confusion was worse confounded by the arrival at one o'clock

September 19 on the morning of the nineteenth of a report that the British could cross the Schuylkill and be in the city in a few hours. The report was premature, but its effect was picturesque. Members of congress were roused from their slumbers and stood not on ceremony in taking leave of the dangerous locality. They gathered at Lancaster and, on the twenty-seventh, adjourned to York where they continued until the British evacuated Philadelphia. Many of the citizens of the capital followed the congressional example. "It was a beautiful, still, moonlight morning, and the streets as full of men, women and

children as on a market day," wrote Thomas Paine to Franklin. 1777

When Howe again took up his march toward Philadelphia, he found that the Americans had thrown up defenses at Swedes Ford (Norristown) and therefore turned toward the west as if to cross the Schuylkill at a higher point. Fearing the loss of his stores at Reading, Washington marched in that direction with the river between him and Howe. At Potts Grove (Pottstown), he learned that Howe, having crossed the river at Flatland and Gordons fords (near Valley Forge), was then well on his way toward Philadelphia. On the twenty-fifth, Howe's army encamped at Germantown and, on the following morning, Cornwallis marched into Philadelphia with three thousand troops. The bands played "God save the King" and the Tories shouted "with acclamations of joy." A line of defenses extending from river to river north of the city was immediately begun. Admiral Howe was in the lower Delaware, but the British fleet could not sail up the river because of a *chevaux de frise* at Billingsport and several forts held by the Americans. On the twenty-seventh, the American flotilla began to bombard the city, but the frigate "Delaware" ran aground and was captured and the smaller vessels were driven off without doing much injury.

Howe in Philadelphia

September 26

Howe's army was encamped on the general line of Schoolhouse lane and Lime-kiln road crossing the single street of Germantown at the market-place. Knyphausen held the left toward the Schuylkill. Grant and Matthews and Simcoe's "Queen's Rangers" were on the right extending toward the York road. The fortieth regiment was encamped in a field opposite the large stone mansion of Benjamin Chew, the late chief-justice of the province. The second battalion of light infantry was in the advance at Mount Pleasant with pickets at Mount Airy, still further out.

Howe at Germantown

Washington was at the Metuchen Hills, fifteen miles from Philadelphia. Having been reinforced, he resolved to move against the British forces at Germantown. His

Washington's Plan of Attack

1777 plan was to attack everywhere along the British line at five o'clock in the morning and to rout the enemy before reinforcements could arrive from Philadelphia. Sullivan was to move with his division and Wayne's, flanked by Conway's brigade and followed by Washington, down the Reading road or Germantown street; Greene was to advance by the Lime-kiln road; Armstrong, with the Pennsylvania militia, was to advance by the Manatawny road to turn the enemy's left; while Smallwood and Forman, with Maryland and New Jersey militia, were to march by the York road and seek to turn the British right. The main reliance was on the nine thousand continentals of the two middle columns. The advance was made on the evening of the third of October.

The Advance of Sullivan and Wayne

The night was dark, in the morning there was a fog, and the approach of the Americans was not discovered. Sullivan was at Chestnut Hill by sunrise and waited two hours for Greene (who had the longer route) to get into position so that the attacks might be made simultaneously. He then advanced and drove the pickets at Mount Airy back upon the light infantry and then drove the infantry back through the fog. Sullivan's and Wayne's divisions swept down on both sides of the road, driving the light infantry and the fortieth regiment, which had hurried forward only to be forced back. On neither side could the troops see forty yards ahead, but Wayne's men called to each other and rushed into the unseen, goaded by the remembrance of Paoli. Down past Chew's stone

October 4

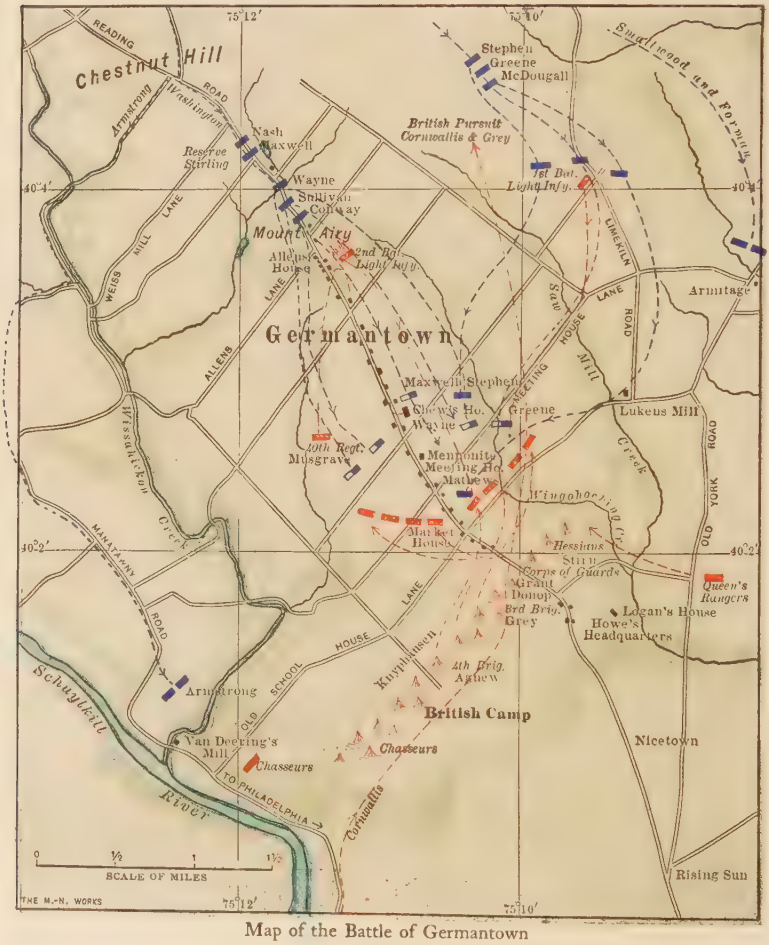
house they came—an auspicious opening of the battle. As the reserve, led by Stirling and accompanied by Washington, passed the stone mansion, six companies of the British fortieth, who had therein taken refuge, opened fire. Stirling tried to drive them out, but the light field-pieces made no impression on the heavy walls and attempts to set the house on fire were without effect. The struggle lasted more than an hour, holding Stirling back from his support of Sullivan and Wayne, confusing their men with the noise of battle behind them, and misleading Greene as to the position of the enemy.

ATTACK ON THE CHEW HOUSE AT THE BATTLE OF GERMANTOWN

(From historical painting, by Edward Lamson Henry, owned by Mrs. Samuel Chew. Reproduced from photograph colored in close facsimile of original. Copyrighted, 1909, by C. S. Bradford, Philadelphia)

1777 Greene was Tardy

Meanwhile, Greene had been advancing along Lime-kiln road to come up on Sullivan's left and so to form a continuous line directly in Howe's front. But Greene was more than half an hour late and, in the night, a British battalion had been moved forward, thus bringing him into contact with the enemy sooner than he expected. In spite of some confusion,



Map of the Battle of Germantown

he forced the enemy back to the market-place and attacked the British right under Grant; after heavy fighting, he was driven back and one of his regiments was captured.

While Greene was advancing on Lime-kiln road, General Stephen of his command heard the firing at Chew's house. Stephen seems to have been so drunk that he abruptly left his line of march and, following the sound of battle, struck the rear of Wayne's brigade. In the fog and smoke, each party mistook the other for the British. Confused by this attack, Wayne's brigade fell back two miles, uncovering Sullivan's flank and forcing him to retreat. From Philadelphia, Cornwallis brought up English battalions, Hessian grenadiers, and a squadron of dragoons on the double quick. The day was lost and Washington gave orders to retreat. At Whitemarsh, Wayne posted a battery on the hill and checked the pursuit. The American loss was nearly eleven hundred. The British loss was five hundred and twenty-one, including General Agnew. Greene's delay and management have been much blamed and much defended.

1777 The Day is Lost

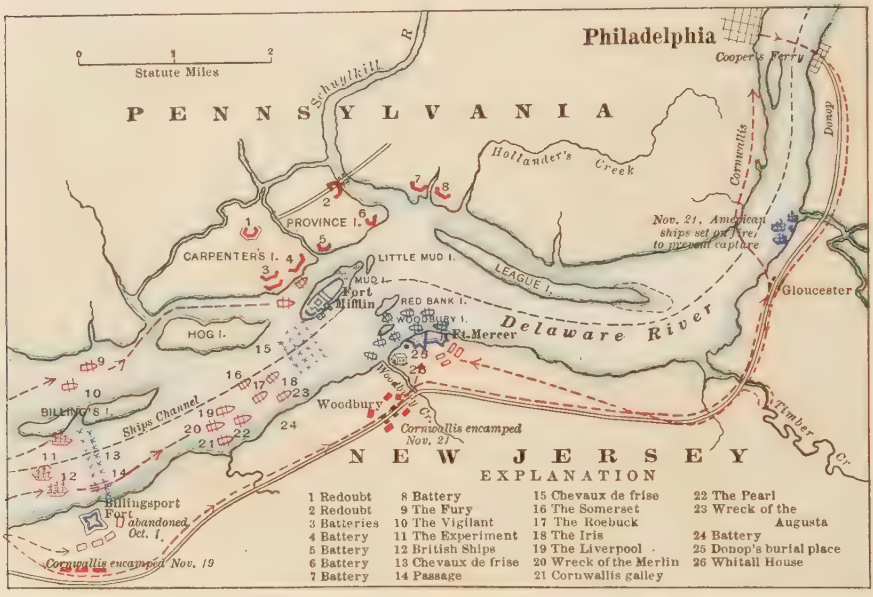
Private, Seventeenth Light Dragoons (British), 1763–86
(From original drawing by Harry A. Ogden)

Early in October, Washington's army was in camp north of the Schuylkill, on Perkiomy Creek and near Pennybecker Mill, whence it advanced until, early in November, it was at Whitemarsh. On the nineteenth of October, Howe moved his army from Germantown into the city where he was really in a state of siege with provisions cut off by land, and his brother's fleet held at a distance by the defenses of the Delaware. Two days later, Donop led his Hessians into New Jersey; an assault upon Fort Mercer at Red Bank, then commanded by Colonel Christopher Greene, resulted in a severe repulse of the besiegers, the mortal wounding of Colonel Donop, and the destruction of two of Admiral

Operations on the Delaware

October 22

1777 Howe's vessels. A regular siege of Fort Mifflin on Mud Island was then undertaken; after a brave defense,
November 15 the garrison withdrew to Fort Mercer and the grenadiers of the royal guards occupied the island. Three days later, Cornwallis crossed into New Jersey. Washington sent Greene to take command of the troops there and to check his progress, but the British demonstration was

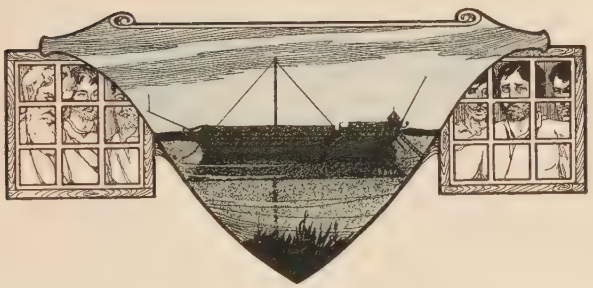


Map of Operations on the Delaware

November 20 so formidable that Fort Mercer was abandoned and destroyed. As an incident of Greene's movement, Lafayette had a lively skirmish with a body of Hessians in the rear of Cornwallis's army and drove them back upon their supports. After several narrow escapes, Lafayette rejoined Greene with a loss of only one man killed and six wounded. On the first of December, he was assigned to the command of the division lately held by Stephen who had been dismissed from the army. Some of the American vessels in the river succeeded in running past Howe's batteries at Philadelphia; others were burned to prevent their falling into British

hands. The obstructions in the river were removed and provisions and stores became more abundant in the city. 1777

About the end of October, Washington had taken up his headquarters at Whitemarsh; about the middle of December he went into winter quarters at Valley Forge; the route thither was tracked in blood as the men, many of them destitute of shoes and stockings, painfully picked their way over the frozen ground. Log huts chinked with clay were built as quickly as possible, but, before they were ready for occupancy, there was great suffering. Thus the campaign for Philadelphia closed with the royal forces in possession of the rebel capital. In Winter Quarters



CHAPTER IV

SARATOGA

Germain's Strategy

THE British plan of operations for the campaign "had been maturely and copiously discussed by the British Cabinet, and had been hopelessly and grievously bungled." Ignoring Sir William Howe's scheme of forcing Washington to risk a battle in order to protect the capital of the confederacy and then crushing "the rebel regular army," Lord Germain had "conceived the ambitious hope of compensating for deficiency of numbers by brilliant and novel strategy." Hence the triple plan outlined in the preceding chapter. Burgoyne was to come down from Canada by way of Lake Champlain, Saint Leger was to go up the Saint Lawrence to Lake Ontario and thence come down by way of Oswego and the Mohawk valley, while Howe was to force his way from New York up the Hudson toward Albany where the three columns were to converge upon the Americans—a "network of complicated and delicate manœuvres." Trevelyan pithily remarks that Lord Germain "exercised Lord Chatham's functions; but he had not mastered Lord Chatham's methods."

Difficulties and Dangers

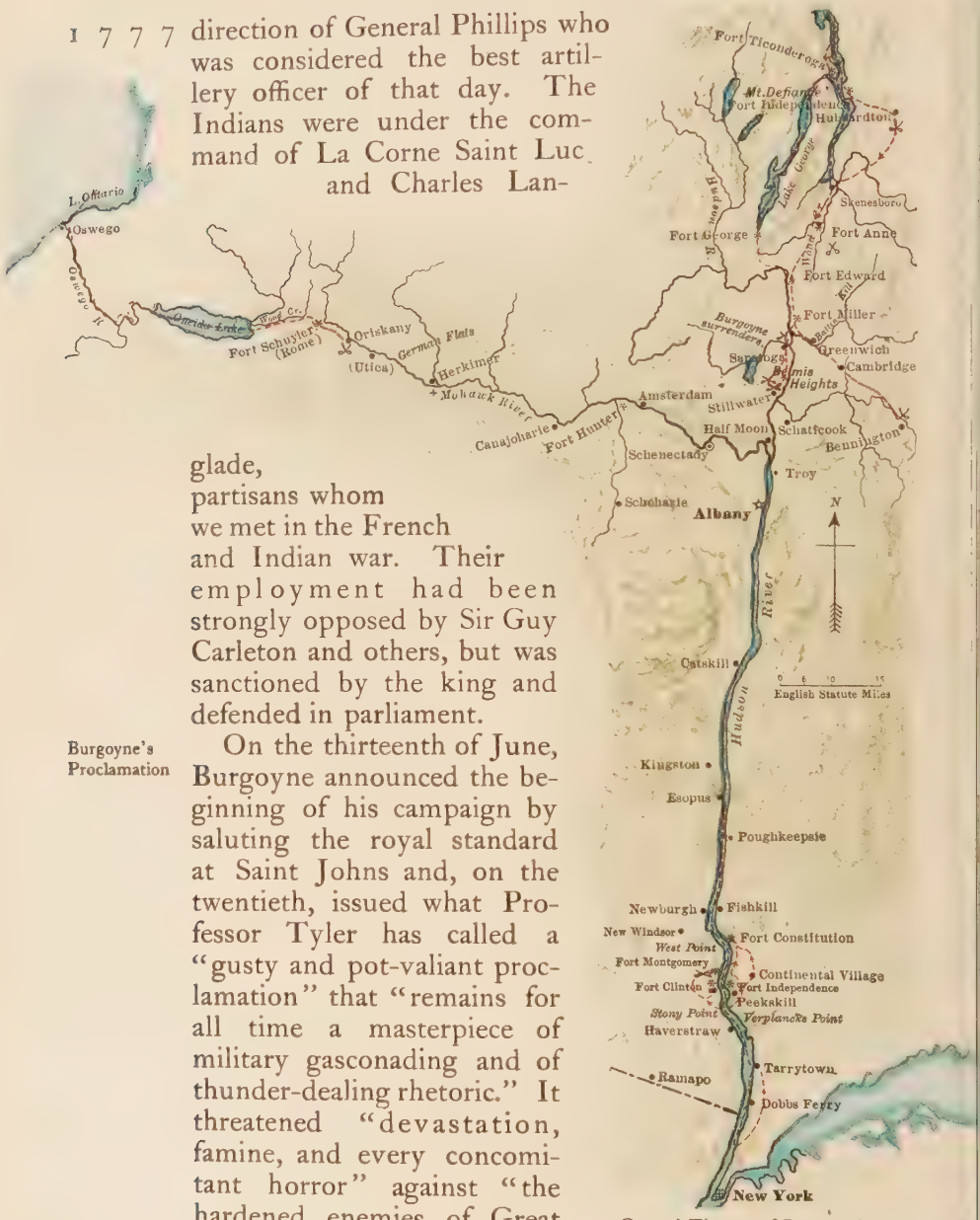
We have seen that Sir William Howe contributed nothing to the close coöperation that was necessary for the success of this plan. The reader of this chapter will do well to keep clearly in mind Howe's successive movements as recorded in the third chapter. But there were other difficulties and dangers that clung close to Burgoyne's line of march from Canada, such as poor

roads, long distances, and the proximity of New England territory, where thousands who were unwilling or unable to join the regular army would promptly answer a call for a few weeks' military service not far from home. Moreover, the triple plan transgressed one of the primary principles of military strategy, namely, that a force operating upon interior lines has a great advantage over a force operating in scattered detachments and upon exterior lines. As the campaign advanced, it was found that every suggestion for a modification of the original plan had to be sent by ocean and river over fifteen hundred miles; that, even when they were not intercepted, dispatches between Howe and Burgoyne took nearly three months to go and come; and that neither general could communicate at all with Saint Leger in the depths of a wilderness fifty leagues from New York or Montreal. As might have been foreseen, each of the three British commands was compelled to act independently without hope or possibility of much aid from either of the others. On the other hand, news of what was taking place in the northern country might be sent directly and thus quickly to Washington who, operating on interior lines, could send reinforcements from his camp in New Jersey by four easy marches to Putnam at the highlands of the Hudson or march his whole army to Lake George within a fortnight. As a matter of fact, some of the American regulars fought against Burgoyne at Saratoga and then joined Washington in time to take part in his campaign in the central provinces, while the single season saw Benedict Arnold driving Tryon from Connecticut, facing Saint Leger on the Mohawk, and fighting furiously at Saratoga. 1777

Burgoyne's Army

Burgoyne, who enjoyed the favor of both king and ministry, had stipulated for a strong veteran force officered by men of experience and skill. By the first of July, he had an army of almost eight thousand, nearly half of whom were Hessians; he also had about two hundred and fifty Canadians and provincials and about four hundred Indians; his artillery train was said to be the finest in America and was under the immediate

1777 direction of General Phillips who was considered the best artillery officer of that day. The Indians were under the command of La Corne Saint Luc and Charles Lan-



General Theatre of Burgoyne's Campaign of 1777

glade, partisans whom we met in the French and Indian war. Their employment had been strongly opposed by Sir Guy Carleton and others, but was sanctioned by the king and defended in parliament.

Burgoyne's Proclamation

On the thirteenth of June, Burgoyne announced the beginning of his campaign by saluting the royal standard at Saint Johns and, on the twentieth, issued what Professor Tyler has called a "gusty and pot-valiant proclamation" that "remains for all time a masterpiece of military gasconading and of thunder-dealing rhetoric." It threatened "devastation, famine, and every concomitant horror" against "the hardened enemies of Great

Britain and America" and made significant allusion to "the Indian forces under my direction." The grandiloquent attempt to frighten or allure the country people was travestied in verse by Governor Livingston and burlesqued in a counter-proclamation by Francis Hopkinson. The burlesque was everywhere read amid roars of laughter, a safe antidote to a popular panic. 1777

Autograph of Phillips

Burgoyne's Indian Harangue

Burgoyne then gave a war-feast to his Indian allies, urged them not to massacre the children, women, and old men, and prescribed the conditions on which they might take the scalps of those they killed in battle. In the British house of commons, Burke exclaimed: "Suppose there was a riot on Tower Hill. What would the keeper of his Majesty's lions do? Would he not fling open the dens of the wild beasts, and then address them thus: 'My gentle lions—my humane bears—my tender-hearted hyenas, go forth! But I exhort you, as you are Christians and members of civil society, to take care not to harm any man, woman, or child.'"

Canteen of the Revolutionary Period

The Investment of Ticonderoga

On the twenty-seventh of June, Burgoyne reached Crown Point; on the thirtieth, he announced that "this army must not retreat;" on the first of July, he began the investment of Ticonderoga, then held by Major-general Saint Clair and about three thousand. On the other side of the narrowed Lake Champlain, the Americans had fortified Mount Independence; between the two strong-

1777 holds were a floating bridge and a boom. Saint Clair had failed to occupy Sugar Loaf Mountain on the peninsula

Caricature on the Employment of Indians in the War by the British
(Published in London, 1780)

between the two lakes; this mountain overlooked both American positions, but was generally supposed to be inaccessible to artillery. The British quickly saw their opportunity. Burgoyne's engineers carefully explored the mountain and undertook to make a road by which General Phillips could bring up 24-pounders and 8-inch howitzers with which to garnish the peak. General William Phillips of the Royal Artillery was a veteran whose "exploits in war were marked by striking originality of conception and vivacious daring in execution." A day and a night were spent in fierce labor and, on the morning of the fifth, Saint Clair and his men were surprised to see Fort Defiance on the Sugar Loaf and threatening a fire that they could not return and that they could not endure for an hour. The Americans had to evacuate the fort to save the garrison.

Under cover of night, the women and the wounded with what guns and stores could be saved were put on two hundred bateaux and, escorted by five armed galleys, the remnant of Arnold's squadron, under command of Colonel Long, set out for Skenesboro, now Whitehall. Saint Clair and the garrison crossed the floating bridge to Mount Independence and thence retreated toward Castleton in the Green Mountains. Contrary to orders, some one set fire to a house and the flames disclosed the American retreat to the enemy who immediately occupied the deserted forts and prepared for pursuit. General Fraser was on the march by daylight and Riedesel followed not long after. Burgoyne and Phillips broke through the boom and bridge and began the chase of the American flotilla.

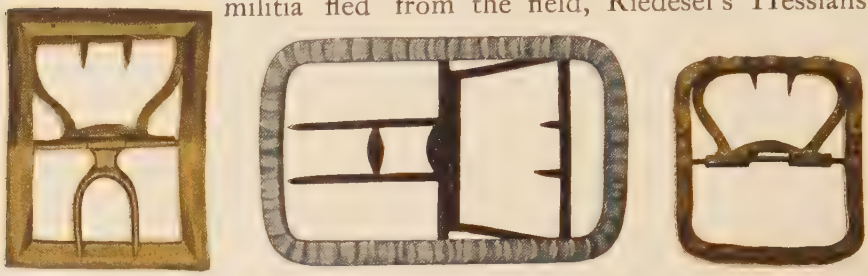
1777 The Evacuation of Ticonderoga

Map of the Investment of Fort Ticonderoga

On his retreat through the woods, Saint Clair left Colonel Warner and twelve hundred men at Hubbardton; with the others he pushed on to Castleton. On the morning of the seventh, Fraser and eight hundred

The Affair at Hubbardton

1777 British regulars attacked Warner and a sharp engagement followed. Hale's regiment of New Hampshire militia fled from the field, Riedesel's Hessians



Soldiers' Belt Buckles (Brass, Silver, and Copper) found in Camp at Fort Ticonderoga
(Reproduced directly from the originals kindly loaned by Mr. Silas H. Paine)

arrived opportunely, and Warner was forced to retreat to Rutland with a loss of forty killed and more than two hundred wounded and taken captive. The subsequent capture of Colonel Hale and his fugitive militia raised the American loss to more than three hundred. With the remnant of his command, Saint Clair made a circuitous march of more than a hundred miles and arrived at Fort Edward on the twelfth.

Colonel Long and the American Flotilla

A - Attack of Americans upon British Advance Corps
B - Detachment under Earl of Balcarres
C - American Position after Gen. Riedesel arrived
D - British Position after the action
E - House in which wounded were cared for
American Forces
British Forces
German Auxiliaries

Map of the Battle of Hubbardton

On the seventh, the British fleet overtook the fugitive flotilla at the wharves at Skenesboro. Two of the galleys surrendered, the rest were blown up by their crews; bateaux, mills, storehouses, and stockade were burned; according to the official report to General Schuyler, "not one earthly thing was saved." Colonel Long and his detachment fled by land toward Fort Anne, pursued by the ninth regiment of British foot under Lieutenant-colonel John Hill. On the eighth, there was a sharp engagement in which Colonel Long's ammunition gave out. In consequence of this, Fort

1777
July 8

Anne was burned and Long then retreated to Fort Edward where he joined General Schuyler. In his *Journal*, Lieutenant Digby says: "At that action, the 9th took their colours, which were intended as a present to their Colonel Lord Ligonier.

Cartridge Box used during the Revolution
(From collection of Mr. Harry A. Ogden)

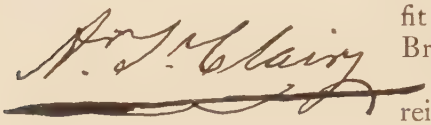
They were very handsome, a flag of the United States, 13 stripes alternate red and white [with thirteen stars], in a blue field representing a new constellation." If we could accept this entry as correct, it would establish the eighth of July, 1777, as the date of the first flying of the stars and stripes in battle. But it appears that news of the enactment of the flag statute of the fourteenth of June was not received at Albany until the thirty-first of July and it seems

Two Flags of the Second New Hampshire Regiment taken by the British at Fort Anne
(Now in possession of Colonel George W. Rogers, of Wykeham, Burgess Hill, Sussex, to whom we are indebted for permission to reproduce these, and through whose kind assistance we obtained colored photographs from which the above were engraved)

1777 impossible that such colors could have been carried in the woods still further north several weeks before that date. I feel very certain that the only American flags taken at Fort Anne were those of the second New Hampshire regiment; these are still in existence and do not at all resemble the then recently authorized starry banner. Digby's *Journal*, in its present form, was written from memory after the campaign was over and the entry in question is undoubtedly erroneous.

Fort Edward Abandoned

For more than a week after Saint Clair's arrival, there were at Fort Edward only about forty-four hundred men fit for duty; flushed with success, the British were not more than a day's march distant. Schuyler called for reinforcements and put forth herculean efforts to oppose the further advance of the enemy. Wood Creek was obstructed, roads were broken up, bridges were destroyed, and the country was stripped of cattle and supplies. Schuyler then abandoned Fort Edward and fell back across the Hudson to Stillwater and finally placed his army in an intrenched camp on Van Schaick's Island where the Mohawk empties into the Hudson.



Autograph of Arthur Saint Clair

July 30

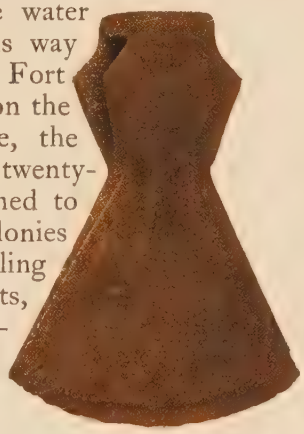
A Blessing in Disguise

In England, Burgoyne's success was accepted as the death-blow to the American cause, and George III. was so excited that he rushed into the queen's apartments clapping his hands and shouting in glee, "I have beat them!" In America, the loss of the fortress created wide-spread despondency. Washington wrote: "The evacuation of Ticonderoga and Mount Independence is an Event of Chagrin and surprise, not apprehended nor within the compass of my reasoning." Schuyler and Saint Clair were bitterly blamed for the disaster, and "We shall

Soldier's Pocket-knife found near Fort Ticonderoga
(Reduced reproduction made directly from the original which was kindly loaned to us by Mr. Silas H. Paine)

never be able to defend a post till we have shot a general," exclaimed John Adams. The conduct of both officers was later vindicated by courts martial, and Thatcher recorded a prediction "that this event, apparently so calamitous, will ultimately prove advantageous by drawing the British army into the heart of our country and thereby placing them more immediately in our power." This has been called "a blind trusting in Providence without regard to the condition of the powder," but there runs through it a warp of worldly wisdom, and Providence justified the faith. 1777 July 14

On the ground that his jurisdiction did not extend beyond the borders of Canada, Governor Carleton declined to forward troops for garrisoning the captured forts and Burgoyne was forced "to drain the life-blood of his army" for that purpose. He left his surplus artillery at Ticonderoga and forwarded the rest, with necessary stores, by way of Lake George, whence ran the direct road to Albany. Instead of returning with his army to Ticonderoga and taking the same water route, he made the mistake of forcing his way through the wilderness from Fort Anne to Fort Edward, building more than forty bridges on the way. The midsummer heat was intense, the insects were pestiferous; twenty-six miles in twenty-four days. "Burgoyne had been accustomed to explain how he would isolate the Eastern colonies from the rest of the Confederacy by patrolling the chain of lakes and rivers with his gunboats, and scouring the roads with his flying columns. But technical phrases which carried cheerful conviction across a dinner-table in Mayfair did not sound as if they covered the whole of the military situation when repeated in the heart of the American jungle." The delay worked to the advantage of the Americans. And where was Howe? The Beginning of Burgoyne's Difficulties



One of the Axes used by Burgoyne's Troops in cutting down Trees on their Retreat from Ticonderoga, found at Schuylerville, New York
(Reduced reproduction made directly from the original which was kindly loaned to us by Mr. Silas H. Paine)

Jane McCrea, young, beautiful, and of

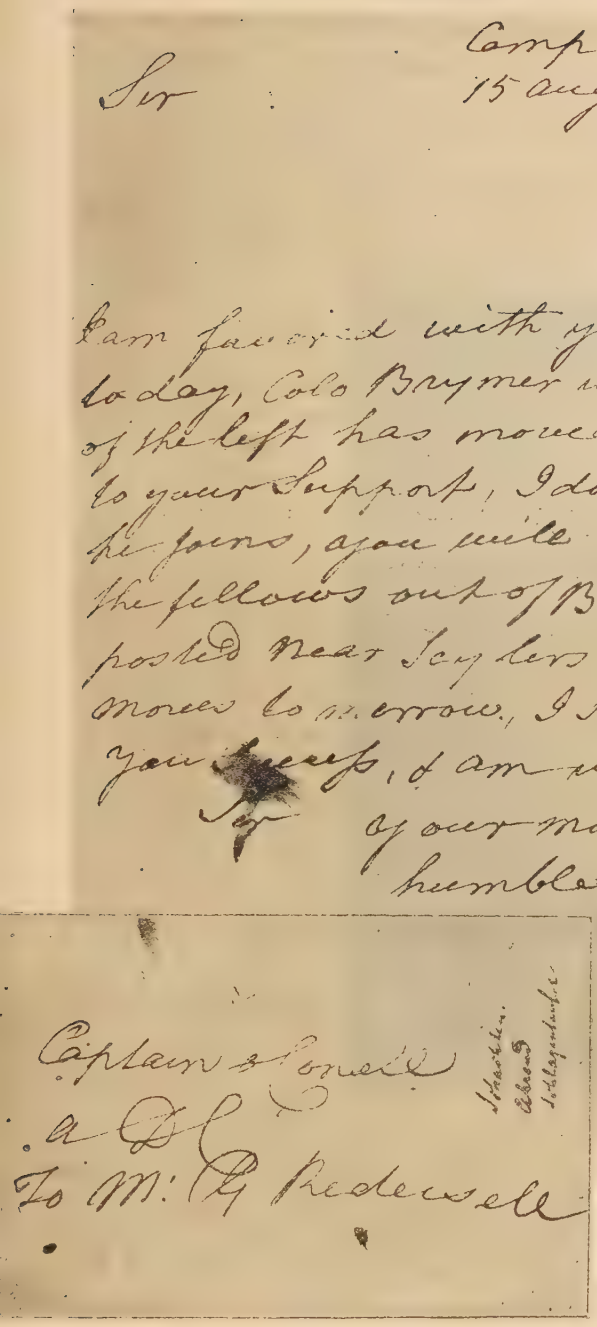
1777 high social standing, was soon to have been married
The Killing of Jane McCrea to a loyalist lieutenant in Burgoyne's army. On the twenty-seventh of July, while visiting at a house near Fort Edward, she was seized and carried off by a party of Indians led by a sachem known as the Wyandot Panther. While in captivity, Miss McCrea was killed; just how, is uncertain. The next day, the "Panther" came into the British camp with a fresh scalp that was recognized as that of Miss McCrea. The story, highly colored and often told, roused general indignation and led many loyalists away from the cause of the king. Then the rule was made that no Indians should go on an expedition unless accompanied by a British officer; this made the Indians angry and, when the fortune of war began to turn, many of them deserted. But they had already done irreparable harm to the royal cause. The reports of their excesses were carried far and wide, as was sped the fiery cross of Highland story:

Uniform of a Brunswick Dragoon (dismounted) of Lieutenant-colonel Baum's Regiment (Drawn by Mr. Harry A. Ogden)

> In arms the huts and hamlets rise;
> From winding glen and upland brown,
> They pour'd each hardy tenant down.

On the Road to Bennington

As Burgoyne found it difficult to supply his troops with bread, he adopted a plan that was recommended to him by Major Philip Skene for whom Skenesboro had been named. Lieutenant-colonel Friedrich Baum was sent with about five hundred and
August 11 fifty men, a hundred Indians, and two pieces of artillery to seize the American depot at Bennington. That the loyalists who were said to be swarming in the region might be quickly organized, Major Skene and other



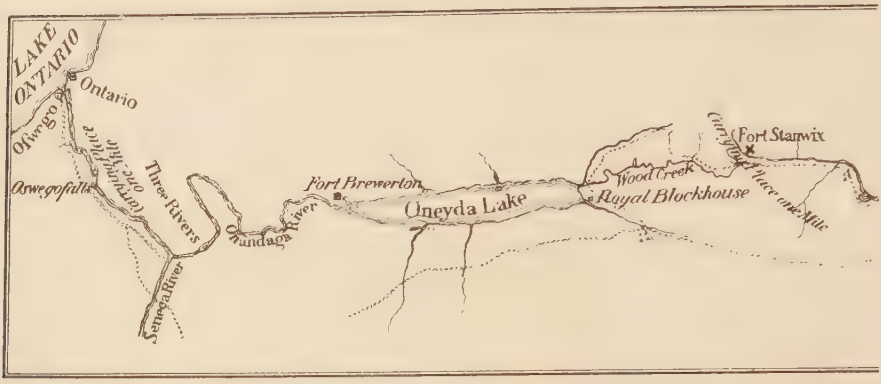
Sir

Camp at Saratoga
15 August 1777

I am favored with your Letter dated
to day, Colo Brymer with the reserve
of the left has moved up this morning
to your Support, I do not doubt, when
he joins, you will be able to drive
the fellows out of Bennington, I am
posted near Snyders house, the army
moves to morrow, I sincerely wish
you success, & am with much Esteem
Sir
your most obedient
humble Servant
Simi Fraser
B. General

Captain Riedesel
a D.C.
To M. G. Riedesel

General Simon Fraser's Letter to Baron Riedesel
(From original in the New York Public Library, Emmet Collection)



MAP OF THE MOHAWK-ONEIDA

1777 sadly thinned at Hubbardton; the action was renewed and kept up until night when Breyman escaped in the darkness after losing about half his force. The detachment had failed to secure

Map of the Battle of Bennington

the horses, wagons, cattle, and provisions that were needed and had lost all of its artillery, most of its baggage, and several hundred small arms. There was no longer any possibility of Burgoyne's making a sudden and successful dash to Albany. The American loss was about forty killed and about as many wounded. Baum was mortally wounded and died two days later. According to his declaration, the

ROUTE AND SETTLEMENTS, 1772

provincials "fought more like hell-hounds than soldiers." 1777
Stark received the thanks of congress and was made a brigadier-general. With open pride, an English historian proclaims that "it was an Englishman's victory. A force of drilled and pipe-clayed foreigners, intruding where they were not wanted, had been put to the rout by English farmers, fighting in civilian costume and with native courage to defend the inviolability of their English homes."

Joseph Brant

Saint Leger's Advance

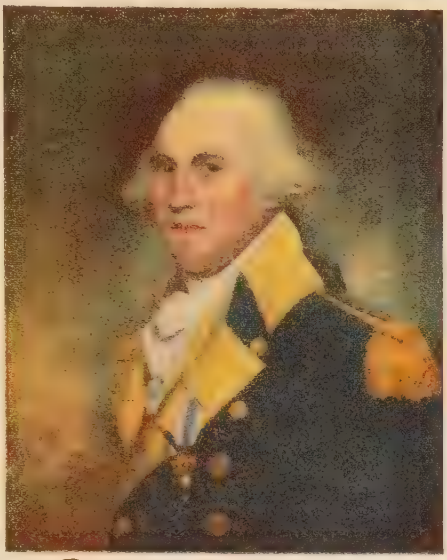
In the latter half of July, Major Barry Saint Leger, the acting brigadier-general who had gone up the Saint Lawrence to Lake Ontario, landed at Oswego preparatory to his proposed advance upon Albany. He found the Iroquois divided, but obtained the assistance of several hundred warriors led by the chieftain, Thayendanegea, better

1777 known as Joseph Brant. With these Indians and a force of British regulars, a company of Hanau chasseurs, Colonel John Butler's company of Tory rangers, and Sir John Johnson's Tory regiment of "Royal Greens," Saint Leger moved forward to the Great Carrying Place. On the second of August, his advanced guard of about thirty men, under Lieutenant Bird, and some of his Indian allies appeared before Fort Schuyler, formerly Fort Stanwix. The fort was defended by five or six hundred men under Colonel Peter Gansevoort, with Lieutenant-colonel Marinus Willett second in

Autograph of John Butler

Diagram representing the Order of March of Saint Leger's Troops
(Reduced facsimile of original colored drawing, now in possession of Mrs. Catherine Gansevoort Lansing. It had been found in the writing-desk of Saint Leger, which he left behind when he fled from his camp before Fort Schuyler)

command. In the afternoon of that day, the fort was reinforced by Lieutenant-colonel Mellon and about two hundred men of the ninth Massachusetts regiment; their arrival made the total number of the defenders of the fort about seven hundred and fifty. Mellon and his men had come up the Mohawk from Albany bringing sadly needed ammunition and supplies. In the forenoon of the following day, Saint Leger arrived with the main body of his troops. 1777



Peter Gansevoort

(Reproduced from the original painting in possession of Mrs. Catherine Gansevoort Lansing)

Sunday, August 3

The Stars and Stripes First Face the Foe

Mellon's men had brought from Albany to Fort Schuyler newspaper accounts of the newly enacted flag statute and, on the morning after their arrival, the fort was ransacked for needed material and a standard was improvised for the occasion, with alternate stripes (so runs the legend) from a soldier's white shirt and a camp-woman's red petticoat, and with a field cut from Captain Abraham Swartwout's blue cloth cloak. Recently discovered journals set forth in considerable detail that the flag was made in the forenoon of Sunday and that, in the afternoon, a flagstaff was raised on the northeast bastion, the one nearest Saint Leger's camp, the flag was run up, and guns were fired at the enemy. Then the drummer beat the assembly and the adjutant read to the congregated men the congressional resolution "particularizing the insignia of the flag of the New Republic."

1777 It is to be regretted that this ensign, rude in construction though it doubtless was, is probably no longer in existence.

Herkimer at Oriskany

August 5

With about eight hundred men, Nicholas Herkimer, a tough and stout-hearted patriarch and the commander of the militia of Tryon County, advanced to Oriskany, eight miles from the beleaguered fort, and, in the even-

Dear Sir

The great distance which Your duty calls us Appart obliges me at this time to give You this trouble which Otherwise I would not — You may Remember Agreable to Your promise, I was to have an Order for Eight Yards of Broad Cloath, on the Commissary for Cloathing of this State, In lieu of my Blue Cloak, which was Used for Coulours at Fort Schuyler — an Opportunity Now presenting itself - I beg You to send me an Order, inclosed to Mr Jeremiah Rensselaer, pay Master at Albany — to Mr Henry Van Vaughter, Albany, where I will receive it, and You will Oblige me, who will Always acknowledge the same with true gratitude - — —

Please to make my Compts to the Other Officers of the Regiment

I am Dear Sir

Your Hble Servt

Poughkeepsie — 29th Aug 1778 — Abraham Swartwout Edjt

Colonel Peter Gansivoort — Fort Schuyler

Abraham Swartwout's Letter to Peter Gansevoort requesting an Order for Cloth which had been promised him for his Blue Cloak

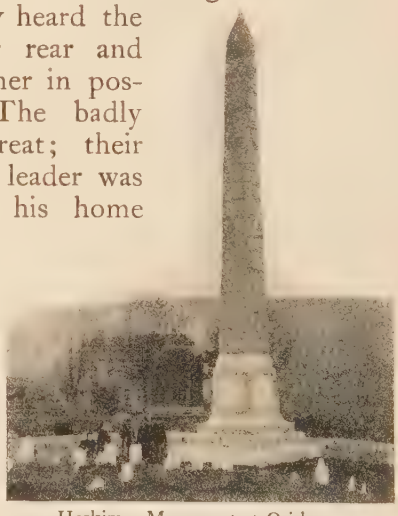
(From original in possession of Mrs. Catherine Gansevoort Lansing)

DIAGRAM OF FORT STANWIX (SCHUYLER)
(Facsimile of contemporary drawing in possession of Mrs. Catherine Gansevoort Lansing)

1777 ing, sent messengers to the fort to arrange for a concerted attack on the besiegers. Gansevoort was to fire three signal-guns, Herkimer was to advance against the enemy, and the garrison was to sally out upon them. But the messengers were longer in reaching the fort than had been expected and Herkimer's impatient men taunted their general into leading them forward. As the militia were hastily advancing through a wooded ravine, the ambushed Indians on either side and the British and Tories at the further end opened fire. Herkimer's rear guard was cut off; the supply train and many prisoners were captured. With his horse killed and his leg shattered, Herkimer sat on his saddle with his back against a great beech-tree, calmly smoked his pipe, and shouted his orders. A heavy thunderstorm checked the battle for a time, after which the contest was renewed with a vindictiveness unsurpassed in the annals of this war. After a long and obstinate fight, much of it hand to hand, the enemy heard the sound of guns in their rear and withdrew, leaving Herkimer in possession of the field. The badly crippled force had to retreat; their brave but inexperienced leader was carried on a litter to his home where he died ten days later, "calmly smoking his Dutch pipe, and reading his Bible at the thirty-eighth Psalm." After a delay of not much more than a century, congress voted him a monument.

Autograph of Nicholas Herkimer

August 6

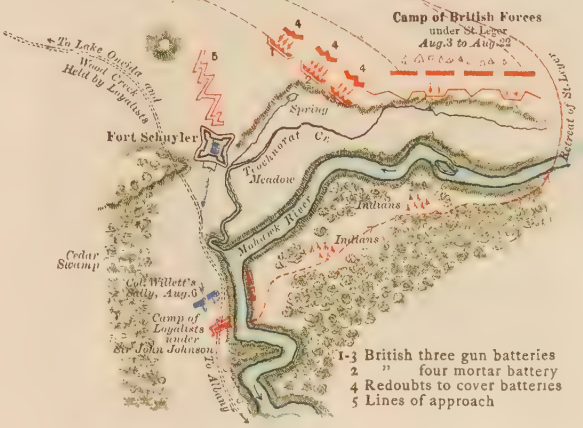


Herkimer Monument at Oriskany

Robbing the Red Men

After the passing of the storm that checked the battle, Lieutenant-colonel Willett, with two hundred and fifty

men and a three-pound carronade, sallied from the fort, attacked the almost unprotected camp of Sir John Johnson, and, without the loss of a man, captured a few prisoners, a large quantity of guns and ammunition, Indian weapons and blankets, Johnson's papers and baggage, and nearly all the records of the expedition. 1777

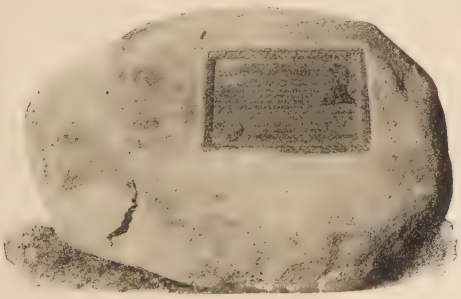


Map of the Siege of Fort Schuyler

The Indians had gone out to fight nearly naked; when they came back to camp, they found that their clothing and blankets had been taken.

Schuyler Sends Relief

Saint Leger continued the siege. One dark night, Lieutenant-colonel Willett and Lieutenant Stockwell crept stealthily from the fort and hastened to Fort Dayton at German Flats, whence Willett went to Albany seeking assistance. But Schuyler had already taken steps to relieve the fort and put an end to the discussions and insinuations of the council called to consider the subject by this declaration: "Gentlemen, I shall take the responsibility upon myself. Where is the brigadier that will take command of the



Monument to Marinus Willett at Albany

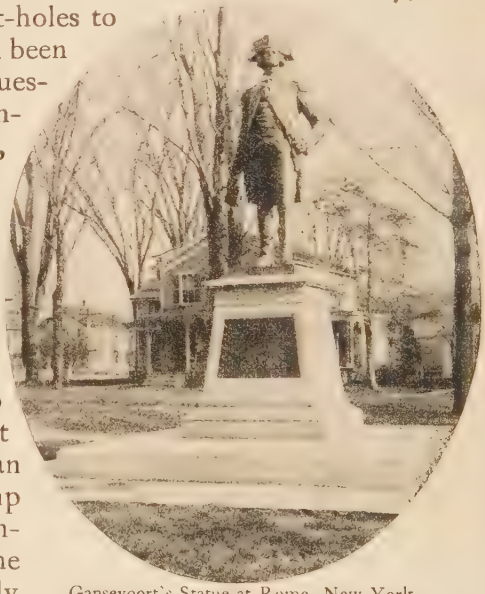
(Inscription reads: "In grateful memory of COLONEL MARINUS WILLETT — 1740–1830 — for his gallant and patriotic services in defense of Albany and the people of the Mohawk Valley against Tory and Indian foes during the years of the war for independence, this stone, brought from the scenes of conflict and typical of his rugged character has been placed here under the auspices of the Sons of the Revolution in the state of New York, by the Philip Livingston Chapter of Albany, A. D. 1907.")

1777 relief? I shall beat for volunteers tomorrow." The brigadiers sat silent, but General Arnold, whom Washington had sent to the northern army, volunteered to lead the expedition. A week later, Arnold and his men were at German Flats.

Old Church at German Flats, erected in 1767 near Fort Herkimer

Among the prisoners was a half-witted Tory under sentence of death. As the price of his life, Yon-Yost agreed to carry to the enemy an exaggerated report of Arnold's strength. He had several bullets fired through his coat and then, leaving his brother as a hostage, set out for Saint Leger's camp where he soon appeared almost breathless, told his story, and pointed to the bullet-holes to show how narrow had been his escape. When questioned as to the number of Arnold's force, then less than thirty miles away, he pointed to the forest leaves and shook his head mysteriously; within twenty-four hours Arnold would be there with two thousand men. Just then an Oneida Indian from Arnold's camp arrived with a confirmatory report. The Indians, thoroughly alarmed, took their departure. On the following day, Saint Leger abandoned his trenches, camp equipage, and some artillery and fled with his white troops to Oswego and

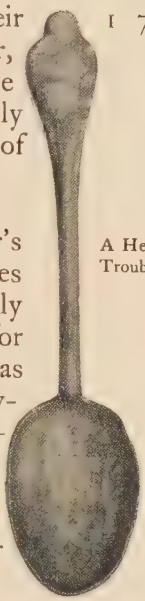
Arnold's Successful Stratagem



Gansevoort's Statue at Rome, New York

August 23

thence to Montreal. The Iroquois plundered their late allies, killed some, and, according to Saint Leger, "became more formidable than the enemy." Howe and Burgoyne might meet at Albany as previously planned, but Saint Leger had been "wiped out of the campaign." 1777



Soldier's Pewter Spoon found near Fort Edward (Direct reproduction by courtesy of Mr. Silas H. Paine)

A Hedge of Trouble

In Burgoyne's camp, the news of Saint Leger's flight followed hard upon the heels of the fugitives from Bennington; supplies were failing, the only news from Howe was "that his intentions were for Pennsylvania," and the loyalists had not risen as expected. The appeals of Washington and Schuyler, the story of Jane McCrea, and Tryon's vindictive burning of Danbury roused New Hampshire, Massachusetts, Connecticut, and New York to patriotic fervor, put their able-bodied sons on the road to Albany, and even melted the pewter of their sideboards into bullets for the use of the troops on the Hudson. The spirit of the hour is well illustrated by the letter that, on the fourth of August, the town of Litchfield sent in reply to the appeal made by the committeemen of Albany County to the sympathies of Connecticut:

> Yours of the First Instant, respecting the alarming Situation of our northern affairs never reached us before this moment. Surely, Gentlemen, we shall never be backward in affording every Possible aid in our power for the Relief of the County of Albany. We are not so narrow and Contracted as not to extend every assistance as well to the Inhabatents of a sister state as to those of our own; nor do we imagine that we our selfs can long be safe whilst Desolation and Conquest over spread your State. In short our Feelings are such that we would run every Hazzard, and risque every danger, for you that we should for ourselves.

There was no time to correct the spelling—and who shall say it needs correction? On the twentieth of August, Burgoyne wrote to Lord Germain: "The great bulk of the country is undoubtedly with the Congress in principle and zeal, and their measures are executed with a secrecy and dispatch that are not to be equaled."

The Rally of the Rebels

Three weeks had wrought a marvelous change in the moral and material strength of the opposing forces.

1777 General Benjamin Lincoln, who had been sent by Schuyler into New England to raise troops, was hovering in Burgoyne's rear eager to pounce with his two thousand men upon Ticonderoga; Stark, now a major-general, sent word that he was on his way with the surviving heroes of Bennington; smaller bands of well-armed patriots were busy with Burgoyne's communications; a few days more and Arnold would be back from the Mohawk with his eight hundred jubilant volunteers and reinforcements from the Tryon County militia. The army in Burgoyne's front had already been strengthened by thousands of volunteers and by Nixon's and Glover's brigades and Morgan's Virginia riflemen that Washington had sent from his own insufficient force. Schuyler had fairly retrieved his reputation and held the confidence of the ten thousand men whom he could put in line when the shock of battle came.

Gates Supersedes Schuyler

Even the fathers of the republic had their jealousies and rivalries that did much to lessen the effectiveness of the army. Congress made generals at its will and replaced them at its pleasure, and sometimes was controlled by party spirit and sectional jealousy rather than by merit. We have seen how Arnold and Stark had thus been wronged, but nowhere else were the mischievous effects of political "pull" as vividly portrayed as in the command of the northern department. Wooster, Thomas, Sullivan, Schuyler, and Gates had come and gone in quick succession, leaving Schuyler in command

General Horatio Gates

by reinstatement in the fall of 1776. Aided by New England prejudice and the loss of Ticonderoga, Gates now secured the command of the northern army, just in time to catch the fruit then ripened and ready to fall. Schuyler received the order superseding him on the tenth of August, but, with a soldierly patriotism that did him high honor, labored with unceasing vigor to strengthen the army until Gates arrived on the nineteenth. 1777 August 2

On the sixth of September, Gates issued orders to "have everything necessary in immediate readiness for a march," explaining (according to the copy made by William Torrey, adjutant of Colonel John Bailey's regiment, Learned's brigade) that "to drive the Enemy with disgrace and defeat back to Canada is the Object of the Present Campaign. What has been So Successfully begun under Genl Stark and Colo Warner to the Eastward, and by Genl Herkemer and Colo Gansewort to the Westward, Cannot with the Blessing of Heaven fail to be equally Prosperous in the hands of the Generals and Soldiers Pointed to face the Enemy's Main Army at the Northward. If the *Murder* of *Aged Parents* and their *Innocent Children*, if Mangling the *Blooming* Virgins and Inoffensive youths be Incitements of Revenge, if the *Righteous Cause* of Freedom, the happiness of Prosperity, be Motives to Stimulate the Army and Conquer the Mercenary and Merciless Foes; the time is now come when they are called upon by their Country, by their Genl, by every Person human and divine, to Vanquish their Enemies." Preparing to Push Things

After nearly three weeks of delay, Gates moved his camp from Van Schaick's Island to Bemis Heights, directly in Burgoyne's way to Albany. There he took up an easily defensible position, chosen by Arnold and fortified by Kosciusko. On the eleventh, from his headquarters at Stillwater, he expressed his astonishment "at the shocking Complaints, made by many of the Inhabitants, of the infamous Plundering and depredations committed, in direct violation of the Orders of the 2d of August, by Marauders from this Army since his arrival Both Armies Advance Toward Bemis Heights September 8

1777 on this ground. To Multiply the Calamities of our unfortunate countrymen, . . . to Plunder and Rob them of the little they have left, Reflects dishonor on our Arms and human nature; the first person convicted of Marauding must expect to suffer death." Two days
September 13 later, in similar manner, he announced that "The Enemy, defeated and disgraced at Bennington, disappointed and Vexed at the unprosperous State of their Affairs, may try, by one Rash Stroke to Recover what they have lost; and like desperate Gamesters Hazzard all at one throw; to defeat them, is to finish the war in this department. Great *Honour* and *Renown* will be given to this Army, should they, by the blessing of *divine Providence*, atcheive so glorious a *Victory* as the overthrow of the Enemy would be." Burgoyne, having received artillery and thirty days' provisions from Lake George, moved south-
September 13 ward from Fort Edward and, by a bridge of boats, crossed to the west bank of the Hudson. By the morning of the nineteenth, he was reconnoitering and preparing to attack Gates at Bemis Heights. Parallel to his line of march, a fleet of barges bore down the Hudson, baggage, ordnance stores, and a month's supply of food.

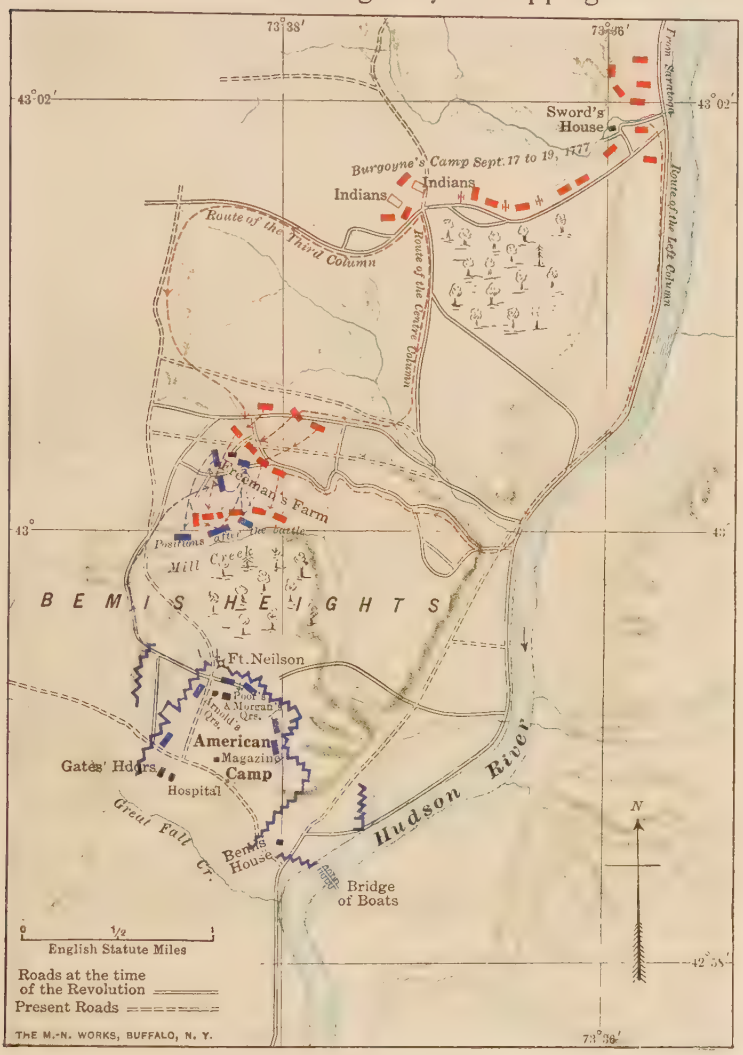
The American Position

Between the two armies was a table land bounded by the Hudson on the east, skirted by hills on the three other sides, and cut by ravines worn by the branches of Mill Creek. Back of a narrow cultivated strip along the river was a dense forest. The Americans were intrenched on the heights south of the middle ravine. The right wing, under Gates in person, occupied the intrenchments between the hill and the Hudson, General Ebenezer Learned held the center, and Arnold the left. The total strength of the American army was about nine thousand.

Burgoyne's Advance

About eleven o'clock on the nineteenth of September, Burgoyne's army advanced to the attack. Phillips and Riedesel, with the heavy artillery and the left column, took the main road along the Hudson. The central column, led by Burgoyne in person, moved towards Freeman's farm, well toward the American left. The right column, under General Fraser and composed of German

riflemen, Canadians, loyalists, and Indians, took a circuitous route further west, thus greatly overlapping the Ameri- 1777



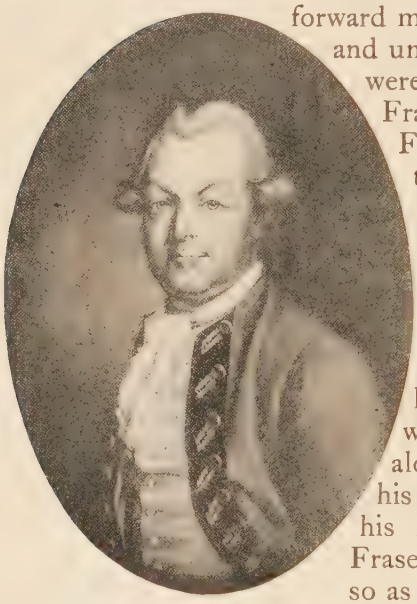
Map of the Battle of Freeman's Farm

can left. According to the scheme of battle, Phillips was to keep Gates in play while Burgoyne and Fraser occupied the high ground westward from the citadel that

1777 Kosciusko had built, to enfilade Gates's lines with cannon, "assail them with the bayonet in flank and rear, and push their ill-commanded and disheartened army into and across the Hudson River." The burden of the battle was to fall on Arnold.

The Battle of Freeman's Farm

Although it was evident that the intention of the enemy was to turn the American left, Gates issued no orders and manifested no disposition to be tempted outside his ramparts. Arnold begged and entreated to be allowed to take the offensive and, when he had secured a grudging permission to do so, sent Morgan's riflemen and some of Dearborn's light infantry to check Fraser's forward movement. In a wilderness of trees and undergrowth in which the Americans were more at home than were the enemy, Fraser's advanced line was driven back. Following this success too eagerly, the Americans came upon the British line of battle, and Morgan's men were repelled in confusion, leaving a captain and twenty men in the hands of the enemy. It is related that Morgan's charge was so headlong that his men got out of hand and were scattered far and wide through the thicket. Almost alone in the woods, Morgan sounded his "turkey call" and thus summoned his men to his side. The forces of Fraser and Burgoyne had been joined so as to present a continuous front when, at about three o'clock, Arnold suddenly fell furiously upon the center of their line in an attempt to cut it. A four hours' struggle followed and all the while the conflict became more terrible. The British guns, the focus of the fighting, were taken and retaken several times. Veterans of the Seven Years' war said that they had never seen such fighting, but Gates, incompetent or culpable, neither sent the reinforcements



Simon Fraser

for which Arnold called nor made any demonstration. 1777
"As soon, therefore, as General Phillips became convinced that Gates did not mean fighting, he marched, like a trusty comrade, toward the noise of the cannon," taking artillery and unwounded gunners with him. Rallying the twentieth regiment, he led the veterans forward while a battery of field-pieces played grape at musket range upon the scattered groups of Arnold's weary men. Finally, Riedesel came up with three regiments, and seven companies of the German infantry went into action on the double quick; darkness ended the conflict. The Americans withdrew to their intrenchments and the Anglo-German army retained the field beyond which it had not been able to advance. Both sides claimed the victory; in reality, it was a drawn battle, with British bayonets and artillery matched by American rifles without a single cannon. If Arnold had been properly reinforced, he might have broken the enemy's line and gained a complete victory. The Americans engaged numbered about three thousand. Opposed to them were two or three thousand of the enemy's best troops; the number is not definitely known, but it is very likely that the British were outnumbered. The American loss was somewhat over three hundred; that of the British almost twice as many and several regiments were almost wiped out of existence. The engagement is variously known as the battle of Freeman's Farm, or Stillwater, or the first battle of Bemis Heights.

Gates's Flagrant Injustice

On the twentieth, Arnold thanked the officers and soldiers of his division for their brave and spirited conduct of the day before and acknowledged "the Mercifull Interposition of Heaven in covering our Heads in the day of Battle." Six days later, Gates returned "his Gratefull thanks to Genl Poors and Genl Learneds Brigades, to the Regiment of Riflemen, to the Corps of Light Infantry, and Colo Marshalls Regiment for their Valiant Behaviour in the Action of the 19th Instant." To this, he added that "By the conduct of the Enemy, by their Embarrassed Circumstances, it is evident they must

1777 Endeavour, by one Rash stroke, to Regain all they have lost; that failing, their Utter Ruin is Inevitable." In his report of the battle that he sent to congress, Gates made no more mention of Arnold or of the service that he had rendered than he did in the general orders above cited. "The army, however, rang with praise of the fighting general."

After the Battle

Burgoyne had made arrangements to renew the battle of the nineteenth early in the morning of the twentieth, but, upon reports as to the condition of his troops, countermanded his orders and began a line of elaborate intrenchments from Freeman's farm to the river bank. On the twenty-first, he received Sir Henry Clinton's letter of the twelfth promising a diversion up the Hudson with as many troops as could be withdrawn from the New York garrison—a very different thing from the twenty thousand soldiers with which he had expected Howe to meet him at Albany. For eighteen days following the action of the nineteenth, Burgoyne lay waiting almost passively for Clinton's coming. In this interval came the discouraging news that a part of General

September 18

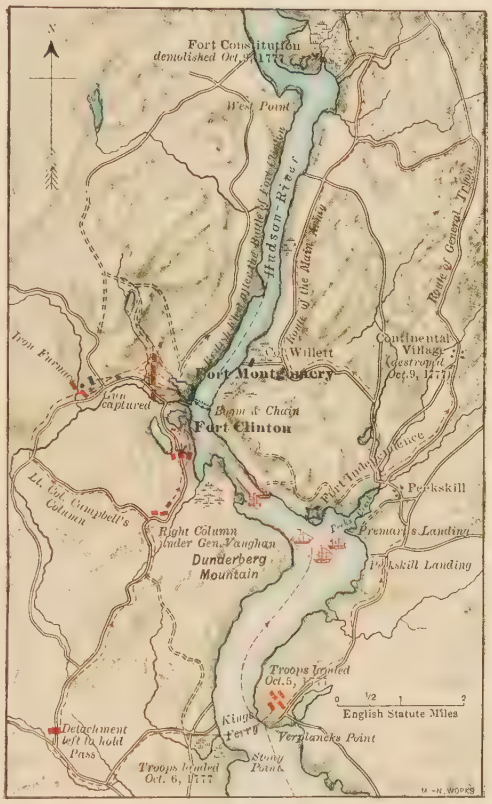
Lincoln's force had surprised the outposts of Ticonderoga, captured nearly three hundred of the enemy, released many American prisoners, and destroyed more than two hundred gunboats and bateaux. Burgoyne had been effectually cut off from Canada.

Sir Henry Clinton's Expedition up the Hudson July 30

General Howe looked upon his expedition against Philadelphia as a substantial diversion in Burgoyne's favor, as it was; but, when "off the Delaware," he wrote to Sir Henry Clinton at New York suggesting a diversion in favor of General Burgoyne if it could be made with security to Kings Bridge (which Putnam occasionally threatened). On the third of October, Sir Henry Clinton, having been reinforced from England, began an expedition up the Hudson with a large fleet and about three thousand troops. To guard against such a movement, the Americans had fortified the Highlands and placed obstructions in the river. The general command was held by Putnam; Brigadier-general James Clinton

with a few regulars and raw militia held Fort Clinton; his brother George, as governor, adjourned the New York legislature, then at Kingston, and, as a brigadier-general in the continental army, hastened to Fort Montgomery to give his personal support to its feeble garrison. On the fifth, the British forces were at Verplanck Point. By a feint toward Peekskill and favored by a fog, Sir Henry deceived Putnam and was able, on the sixth, to cross the river at Kings Ferry and to carry forts Clinton and Montgomery by assault. General James Clinton received a bayonet wound but escaped to the mountains, and Governor Clinton crossed the Hudson in a skiff and joined General Putnam. The forts were dismantled, the stores destroyed, and the boom and chain across the river broken. The Americans burned two frigates that could not escape and the river was open to the British fleet. As a result of these successes of the enemy, Peekskill and Fort Independence down the river, and Fort Constitution up the river, were abandoned by the Americans, and General Putnam retreated to Fishkill. On the eighth, Sir Henry Clinton

1777



Map of the Attack on Forts Montgomery and Clinton

IN COUNCIL OF SAFETY,

FOR THE

STATE OF NEW-YORK,

JULY 30, 1777,

A Proclamation.

WHEREAS his Excellency GEORGE CLINTON, Esq; has been duly elected Governor of this State of NEW-YORK, and hath this Day qualified himself for the Execution of his Office, by taking in this Council, the Oaths required by the Constitution of this State, to enable him to exercise his said Office; this Council doth therefore, hereby, in the Name and by the Authority of the good People of this State, Proclaim and Declare the said George Clinton, Esq; Governor, General and Commander in Chief of all the Militia, and Admiral of the Navy of this State, to whom the good People of this State are to pay all due Obedience, according to the Laws and Constitution thereof.

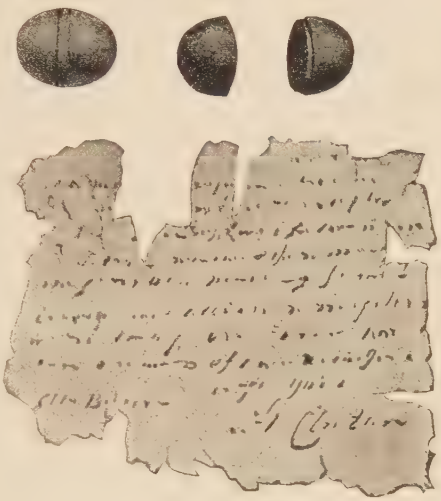
By Order of the Council of Safety,

PIERRE VAN CORTLANDT, President.

KINGSTON: PRINTED BY JOHN HOLT, PRINTER TO THE STATE OF NEW-YORK.

PROCLAMATION BY THE NEW YORK COUNCIL OF SAFETY

wrote to Burgoyne and enclosed the message in a small silver ball. When Clinton's messenger fell into the hands of the Americans, he was seen to swallow something, but an emetic was administered and the ball secured. The British burned Continental Village on the ninth, and a force under General Vaughan pushed on to Kingston and laid the place in ashes. Unaware of Burgoyne's dire need, Clinton returned to New York. Two days later, he went up the river with additional troops but was soon recalled to New York by Howe's demand for reinforcements. The time for "coöperation" had gone by. 1777



The Silver Bullet and Clinton's Message

Between Gates and Arnold there was open hostility; the former was envious of the growing fame of his subordinate and resentful of his preference for the deposed Schuyler. A violent quarrel finally took place and, in passion, Arnold asked leave to return to the southern army. Gates gladly granted his request and placed General Lincoln in command of Arnold's division. Arnold quickly repented his action and, having been asked by his indignant officers not to leave them when another battle was impending, lingered at Bemis Heights "as if he were an amateur civilian curious to see what a battle was like." Mr. Fiske says that "Gates took no more notice of him than if he had been a dog." On the seventh of October, Arnold was "like a war horse gnawing his curb and panting for the fray." Arnold's Anger

Burgoyne had been seventy-four days in moving fifty miles from Skenesboro and lost in September what he might have gained in July. Now, his loyalists and Canadians were deserting and his Indians were abandoning him altogether; his enemy was growing stronger every Burgoyne's Reconnaissance

1777 day; he could neither advance nor retreat with safety; to stand still was to starve. Disappointed in not hearing further from Clinton, he resolved to make an armed reconnaissance on the seventh of October; if the prospects were fair, he would attack on the eighth; if they were not, he would fall back behind the Batten Kill. To this end, he left his camp with fifteen hundred regulars and ten pieces of artillery and deployed in line of battle within three-quarters of a mile of the American left which was now under the immediate command of Gates. Riedesel held the British center with Fraser on his right and Phillips on his left. The Indians and provincials were to work through the woods around the American left and to gain the rear of their position.

The Battle of Bemis Heights

Gates promptly sent Morgan and his riflemen to make a wide sweep to the left and to seize the high ground on Fraser's right. Major Dearborn was to advance on Morgan's right. General Poor's brigade was to attack the British left and Learned's brigade was placed in position to follow.

I Enoch Poor do acknowledge to have voluntarily inlisted my self as a private Soldier to serve His Majesty King GEORGE, in the present Expedition forming for the Invasion of *Canada*. As Witness my Hand this Day of April In the Year of our Lord 1759.

Essex County Enoch Poor

THESE are to Certify, That Enoch Poor Aged Eighteen Years, born in Andover came before me, one of His Majesty's Justices of the Peace for the said County, and acknowledged to have voluntarily inlisted himself to serve His Majesty King GEORGE the Second, in the above Service: And that he acknowledged he had heard read unto him the Second and Sixth Sections of the Articles of War against Mutiny and Desertion, and took the Oath of Fidelity, mentioned in the Articles of War. And that he had received of Col: Joseph Gerrish Six Pounds the Bounty allowed by the General Court. April 9th 1759 John Greenleaf

Enlistment Paper signed by Enoch Poor when he joined the Army as a Private in 1759

At half-past two o'clock, Poor attacked Major Acland's grenadiers; Learned gave him good support, and, almost simultaneously, Morgan and Dearborn fell upon the enemy's right. Poor's men played havoc with the grenadiers, killed nearly all of Phillips's gunners, and, turning upon the enemy their own artillery, routed that wing of the British army. Acland had been shot in both legs and, as the grenadiers fell back, they left their

brave commander in the hands of the Americans. The German troops in the center gave way, the royal artillery 1777

Lady Harriet Acland

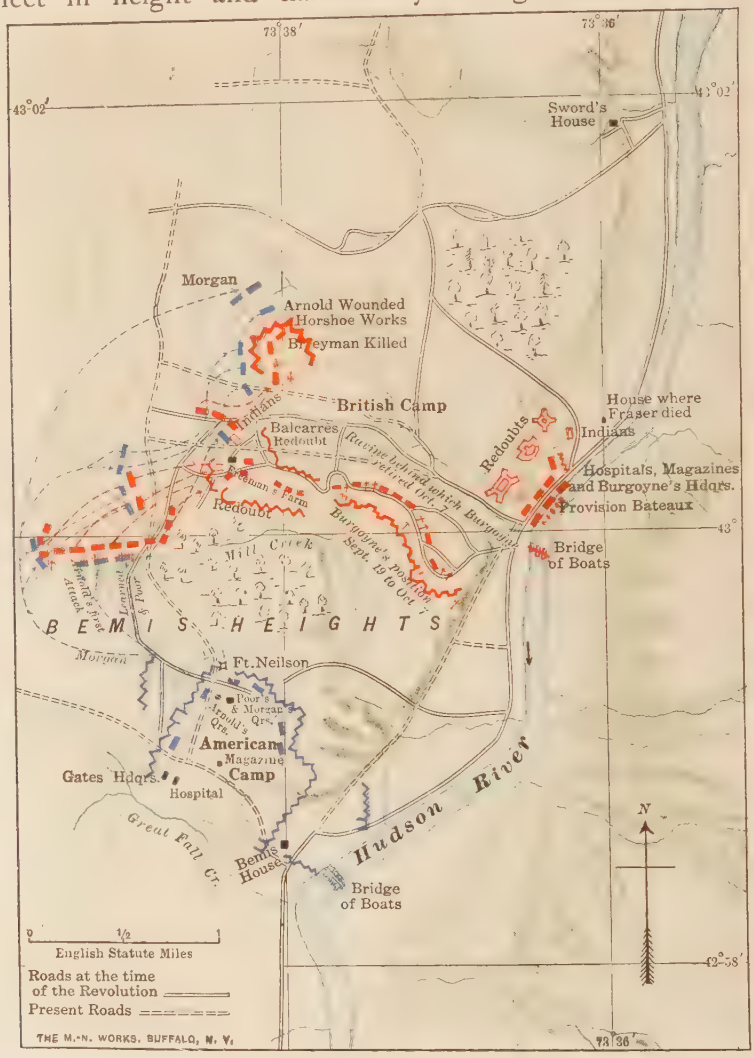
Major Acland

abandoned their guns, and General Fraser endeavored to establish a second line to cover the retreat that had been ordered.

Arnold in Action

At this stage of the battle, Arnold rode madly to the front of Learned's brigade and, pursued by Major Armstrong whom Gates had sent to order him back, dashed into the fight. The men cheered their former commander and went with him like a whirlwind upon the broken British lines. The heroic Fraser fell mortally wounded and brave Burgoyne took command of the line that was now in full retreat. Arnold was no longer master of himself. Wherever he found troops he took command and, "by the magnetism of his will and passion, became supreme in daring endeavor." With a part of the brigades of Patterson and Glover, he assaulted the British intrenchments. On the right of those intrenchments was a covering field-work of horseshoe shape and held by Colonel Breyman and a force of Brunswick infantry. In

1777 front of Freeman's farm was a redoubt with walls a dozen feet in height and flanked by strong intrenchments.



Map of the Battle of Bemis Heights

Behind the walls were heavy guns and stout defenders with Balcarres in command. Against this redoubt, Arnold made his attack but the guns belched forth a

shower of grape-shot and the Americans were driven back. 1777
But Arnold, who was in no mood for defeat, hurriedly arranged for an assault on the front and rear of the horseshoe work that the Hessians held. In a single charge, he cleared two stockade redoubts and thus uncovered Breyman's left. Then, with the energy of a madman and the instincts of a soldier, he turned Breyman's position and, in an impetuous onset, carried everything before him. Breyman was killed and those of his men who could not escape laid down their arms in surrender. Just as the last volley was fired, Arnold was entering the sally-port. At this "critical moment of glory and danger," his horse was killed and his own thigh-bone was shivered by a bullet—it was the leg that had been injured at Quebec and Arnold was carried from the field. What a matchless pity that, in the evening of that October day, its hero could not have been laid, "dead, safe, and honoured," in a soldier's grave!

Alexander Lindsay, Sixth Earl of Balcarres
(Reproduced, by special permission, from the original painting owned by the earl of Crawford)

With the British line thus laid open, night put an end to the conflict. The American loss for the day was about one hundred and fifty; that of the British was about four times as great, besides artillery, a large supply of ammunition, and much baggage. The Americans made good the ground that they had won and took possession of the baggage, tents, and ammunition of which they were in great need. This conflict of the

Burgoyne Withdraws his Army

1777 seventh is variously known as the battle of Bemis Heights, Saratoga, or the second battle of Stillwater. That night, Burgoyne's left wing was kept under arms and the thoroughly exhausted men of both armies lay on the ground that they held when the fighting ceased. The Americans were inside the British lines and all realized that their safety lay in lying still. No fires burned in either camp and no sentinels broke the silence with a Who goes there? Burgoyne was "too old and clever a soldier not to recognize that the great game had gone against him." His enemy was protected by earthworks that he had himself erected and, in the morning, many of the cannons that he had lost would be pointed at his own troops. His best regiments had been tested to the limit of their endurance and had lost many of their best and bravest, and many of his Tory and Indian allies had deserted. As he had no time for sleep, so he had no time to waste. Tents were struck as quietly as possible and Balcarres's weary soldiers were aroused and marched out of their intrenchments. The shattered army fell back half a mile and occupied some hills that overlooked the river. The hills were crowned with strong redoubts and lay behind an almost impassable ravine. Burgoyne's new position was as strong as a fortress; but it covered an extent of only fifteen hundred paces square, and was commanded from end to end by artillery that was now held by the Americans. On the morning of the eighth, Burgoyne drew up his men in expectation of attack.

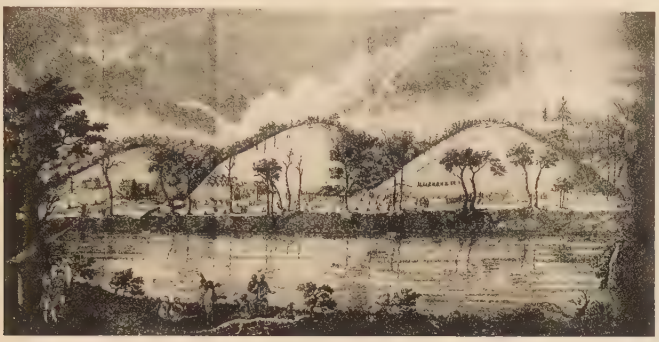
Military Homage to a Fallen Foe

Here, in a little house on the river road, at about eight o'clock in the morning, General Fraser died. He had expressed a wish to be buried at six o'clock of the evening in the redoubt that crowned one of the hills.

October 8

In the course of the day, the Americans took an advanced position on the British front and flank and kept their guns warm with continued and brisk skirmishing in which General Lincoln was wounded. At sunset, the heroic Fraser's corpse was carried up the hill for burial as he had requested. As Burgoyne and his generals stood

around the grave, the Americans kept up their cannonade and the heavy shot threw the loose earth over and around the chaplain as, unawed, he slowly read the impressive burial service. When the nature of the assembly at the redoubt became known on the opposite hills, the hostile 1777



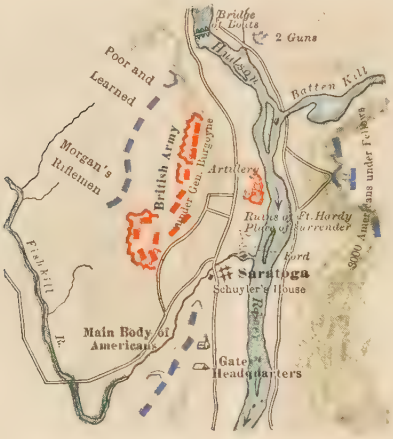
"View of the West Bank of the Hudson's River three miles above Still Water, upon which the Army under the command of Lt. General Burgoyne, took post on the 20th. Sepr. 1777 (Showing General Frazer's Funeral)"
(Facsimile of an engraving published in London, 1789)

missiles suddenly ceased. Then, at measured intervals, the voice of a single cannon boomed along the valley—a minute-gun fired by the Americans in honor of the gallant dead.

Burgoyne's defeat on the seventh had been signal and decisive. If he had won, he would have advanced and heard of Clinton's success and Clinton would have heard of his. The two victorious armies might then have been joined and the great object of the campaign accomplished. But he did not win the battle. His fighting force was now not more than half that of his antagonist's. Conscious of his danger that Gates would swing his left wing around so as to pen his forces between the Hudson and American brigades and batteries, Burgoyne abandoned his camp and everything that he could spare, including his sick and wounded, retreated through rain and mud to Saratoga, and, on the morning of the tenth, encamped on the north side of the Fishkill. Here he lost five precious days, a fatal indecision. He could ill afford to retreat to

Burgoyne Retreats to Saratoga

1777 Canada and hoped that in a defensive battle he might win some success and thus lessen the disasters of his campaign. According to the Baroness Riedesel, who had accompanied her husband and was in the camp, Burgoyne had lost his head and delayed retreat until escape was hopeless. To this she adds: "He spent half his nights in singing and drinking, and diverting himself with the wife of a commissary who was his mistress and who was as fond of champagne as he was himself." Gates quickly followed the retreating enemy and closed in upon them. General Fellows, with the Massachusetts militia, held the crossings of the Hudson and cut off retreat in that direction; Morgan, Poor, and Learned were threatening from the west; Nixon, Patterson, and Glover were in front.



Map of Burgoyne's Surrender at Saratoga

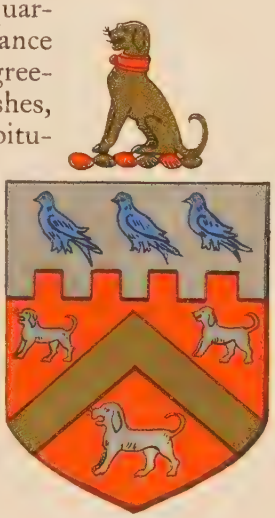
Burgoyne's Desperate Situation

Burgoyne's camp was about a mile and a half long and, excepting a short space here and there, not more than half a mile across. It was fortified, but on every side it was exposed to the short-range fire of the American artillery, and Morgan's marksmen spent the daylight hours in the tree-tops whence with deadly aim they fired into the interior of the principal British redoubt. Some of the provision boats were captured and others were sunk by the enemy's artillery and there were only three days' rations left. Burgoyne could not cut his way to Albany, the woods were full of continentals and militia, retreat was impossible, his effective force had dwindled to about four thousand men, and no further word had come from Sir Henry Clinton or Sir William Howe. "Shelterless and in sodden rags, our people starved and suffered," says an English historian, "while the pitiless rain descended

upon them in streams, as it had continued to descend ever since the retreat began." 1777

The Articles of Capitulation

On the thirteenth of October, Burgoyne called a council of war and the council unanimously decided that the hopeless situation justified a capitulation. On the fourteenth, Burgoyne sent a staff officer "to negotiate affairs of importance to both armies." One article of Gates's proposals provided that the royal army should surrender as prisoners of war and that the British should ground arms in its encampment; to this Burgoyne replied that rather than submit to such humiliation his army would "rush on the enemy determined to take no quarter." Having heard of Clinton's easy advance up the Hudson, Gates gave way and an agreement which, in deference to Burgoyne's wishes, was called a "convention" rather than a "capitulation" was quickly reached on the sixteenth. It was agreed that the British should march out with all the honors of war and move their artillery to the bank of the river where, together with the soldiers' arms, it was to be left. Free passage to England by way of Boston was to be granted on condition that, unless exchanged, the troops should not serve "again in North America during the present contest." No private baggage belonging to the officers was "to be molested or searched, Lieutenant General Burgoyne giving his honor, there are no public stores secreted therein." The consideration shown for Burgoyne's feelings may be credited to Gates's disposition, but his lamentable carelessness as to the wording of the treaty must probably be charged to an undue haste born of his fear of Clinton's forces in his rear.



Coat of Arms of Burgoyne

The Surrender

On the seventeenth, Gates ordered "The Brigades to be under Arms at their Several Encampments, exactly at nine O'Clock; the Regiment of Rifle men under Colo Morgan, and the Light Infantry under Major Dearborn to be Ready when ordered to take Possession of the

1777 Enemys Lines, and Posts, and Redoubts. . . . The man detected in Stealing the Smallest Article from any of the Prisoners, either in their quarters or on their March, must expect to be tryed by a Gen'l Court Martial, and if convicted Suffer death." At the command of their own officers, Burgoyne's troops marched out of their camp and, in the presence of two members of General Gates's staff, grounded their arms on the site of old Fort Hardy. The total number of men surrendered was about five thousand, eight hundred. The property surrendered

A British Cartoon on the Surrender of Burgoyne

constituted a rich and sadly needed prize. At the head of the American camp, Gates received Burgoyne with his general officers and a brilliant staff. After the "banquet of antique simplicity" that followed, General Burgoyne drew his sword in the presence of the two armies and gave it to General Gates. Gates received the sword with a courteous bow and immediately returned it to Burgoyne, the manifestation of a delicacy of feeling that reflected honor on the victorious general. Gates promptly sent Colonel Wilkinson of his staff to carry the glad tidings to congress.

1777 Honor and Honorable Badges

Although General Burgoyne had given his honor that the baggage exempted from search should contain no public stores, advantage was taken of the exemption to save some of the flags of the surrendered army. In her *Journal*, the wife of General Riedesel wrote: "Now I was forced to consider how I should safely carry the colors of our German regiments still further, as we had made the Americans at Saratoga believe that they were burnt up. . . . But it was only the staves that had been burned, the colors having been thus far concealed. Now my husband confided to me his secret, and entrusted me with their still further concealment. I therefore shut myself in with a right honorable tailor, who helped me make a mattress in which we sewed every one of them. Captain O'Connell, under pretence of some errand, was dispatched to New York and passed the mattress off as his bed. He sent it to Halifax, where we again found it in our passage from New York to Canada, and where—in order to ward off all suspicion in case our ship should be taken—I transferred it to my cabin, and slept during the whole of the remaining voyage to Canada upon those honorable badges." As to the British flags, Burgoyne declared that they had all been left in Canada. It is known that one of them had been displayed at Ticonderoga and that, after the convention had been agreed upon, Lieutenant-colonel Hill concealed the colors of the ninth regiment in his baggage. Upon his return to England in 1781, Hill presented the colors to King George.

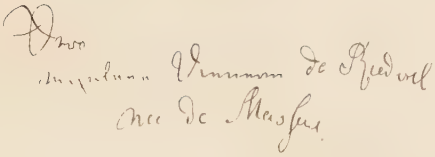
Punic Faith

But the dishonorable action connected with the convention was not confined to one side. Americans quickly realized that Gates had been overreached in the negotiation; the less brilliant but more able Schuyler would have done better. If the prisoners were allowed to return to England, they could, without any violation of the terms of the agreement, be used to relieve garrisons at home, thus setting other soldiers free to fight in America. Furthermore, the leaders in congress felt sure that France would soon be at war with England in behalf

BARONESS RIEDESEL, BY TISCHBEIN

BARON RIEDESEL, BY TISCHBEIN

Reproduced in close facsimile of the originals, by courtesy of the present owner, Baron Gottfried von Rotenhan, at Rentweinsdorf, Bavaria. Painted in 1760



BARONESS RIEDESEL, *née* VON MASSOW

From *Pennsylvania Magazine of History and Biography*, October, 1906. This reproduction follows the Tischbein portrait

AUGUSTA, AFTERWARDS COUNTESS REUSS

Oldest daughter of Baron and Baroness Riedesel

From original painting in possession of Baron von Rotenhan, at Neuenhof, Weimar

Baron Riedesel, by Schroeder

Baroness Riedesel, by Schroeder

Reproduced in close facsimile of the originals, by courtesy of the present owner, the Chamberlain Baron von Rotenhan, at Neuenhof, Weimar. Painted at end of the eighteenth century

Frederika, afterwards Countess Reden

Second daughter of Baron and Baroness Riedesel

n original painting in possession of Baron von Rotenhan, at Neuenhof, Weimar

Amerika, afterwards Countess Bernstorf

Youngest daughter of Baron and Baroness Riedesel, born in America—hence her name

From her descended the present (1909) German Ambassador, Count Bernstorf

From original painting in possession of Baron von Rotenhan, at Neuenhof, Weimar

There was also another daughter, Caroline, of whom no separate portrait is extant

of the revolted colonies. Under the terms of the Saratoga convention, Burgoyne's troops might be used against the French anywhere outside America; it was better that they be safely held as long as the war lasted. Congress was tempted to break the treaty and the British furnished the desired excuse. Dissatisfied with the quarters provided for his officers, Burgoyne, in a letter to Gates, incautiously wrote: "The public faith is broke." If he believed that faith had already been broken by the Americans, would he not be likely to take advantage of the pretended breach to disregard other provisions of the

1777

November 14

Bronze Medal awarded by Congress to Horatio Gates

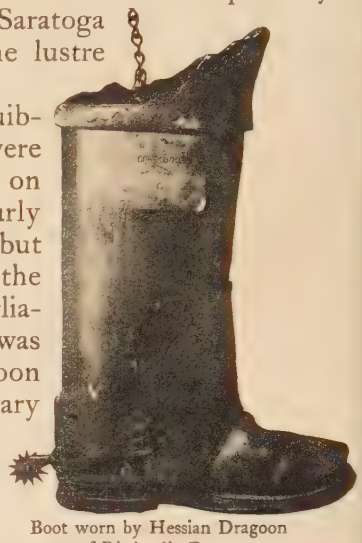
convention as soon as he and his soldiers were afloat on the high seas? Burgoyne also refused to furnish, for purposes of identification, descriptive lists of persons concerned in the convention and alleged that the demand was insulting to his country. Such lists had not been provided for in the convention, but Burgoyne later acceded to the demand. There was wrangling about other matters and, on the third of January, 1778, congress voted to hold the troops until the convention had been ratified by Great Britain, a mere pretext for delay. Five days later, congress voted that the convention was broken because the British had failed to deliver up some of the cartouch-boxes and "several other articles of military equipment." Even as fair and friendly a historian

1777
1783

as Trevelyan is compelled to say that "when every allowance has been made and all excuses have been impartially considered, the violation of the Saratoga Treaty remains as a blot on the lustre of the American Revolution."

The End of Burgoyne and His Army

After further disgraceful quibbling, Burgoyne and his staff were allowed to return to England on parole. Burgoyne had an early interview with Lord Germain, but was refused an audience by the king. He took his seat in parliament, joined the opposition, was denied a court martial, and soon resigned his civil and military offices, a victim of ministerial wrath and public opinion. He died at London in 1792. In November, 1778, the "convention troops," numbering more than four thousand, marched southward from Massachusetts; early in the following year, they arrived at Charlottesville in Virginia. In 1780, because of danger from Cornwallis, they were sent to the Shenandoah valley, to Frederick in Maryland, and to Lancaster in Pennsylvania. From time to time, some were exchanged and others deserted; some joined the Americans and some were still prisoners when the war ended. A large number,

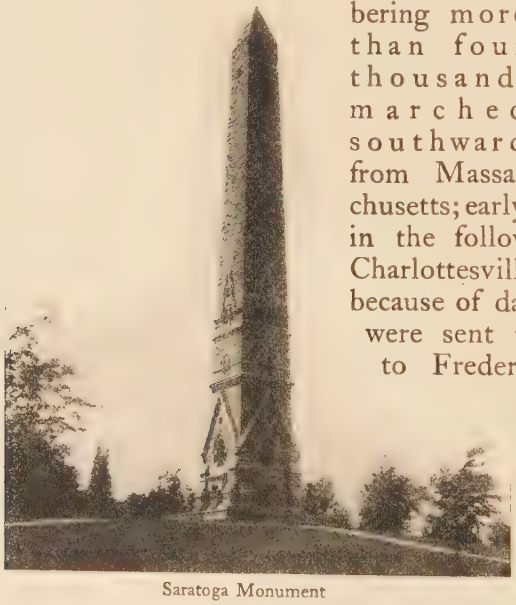


Boot worn by Hessian Dragoon of Riedesel's Forces

Taken prisoner at Saratoga, he traveled to Easton, Pa., on foot with other prisoners and wore this boot and its mate as far as Middlehope (Newburgh). There he exchanged them for lighter ones. Its dimensions are:

Length of leg, front,	20¾ inches
Length of bottom, heel to toe,	13¼ inches
Width of sole and heel,	4⅝ inches
Thickness of heel and sole,	1⅝ inches
Present weight (originally doubtless much more),	5¼ lbs.

At Washington's Headquarters Museum, Newburgh, N. Y.



Saratoga Monument

Pistol from the Saratoga Battle-field

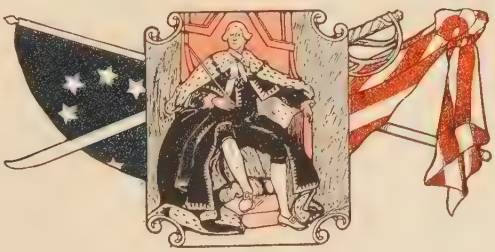
Dinner-plate used at the Entertainment of Burgoyne at the old Sylvester Home at Kinderhook, New York, after his Surrender

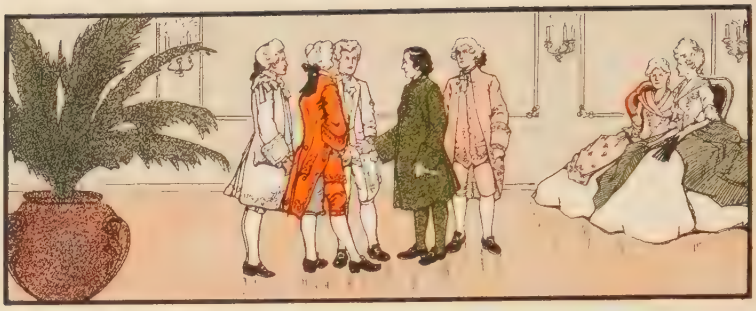
(Both items kindly loaned by present owner, Mr. Samuel Ludlow Frey, Palatine Bridge, New York)

especially of the Germans, remained in the United States and became citizens thereof. 1777

The Effects of the Victory

The fact that a British army that had set out so proudly had been forced to lay down its arms excited transports of joy among all patriots. Few of them now doubted the ultimate achievement of independence and all of them hoped that the success would lead France to declare in favor of America. In England, the news was received with dismay by one party and with satisfaction by the other. In the house of lords, Lord Chatham said: "Those men whom you called cowards, poltroons, runaways, and knaves, are become victorious over your veteran troops, and in the midst of victory and the flush of conquest have set ministers an example of moderation and magnanimity well worthy of imitation." The English historian, Creasy, counts Saratoga among the fifteen decisive battles of world history and adds the statement that no military event can be said "to have exercised more important influence on the future fortunes of mankind than the complete defeat of Burgoyne's expedition in 1777; a defeat which rescued the revolted colonies from certain subjection, and which, by inducing the courts of France and Spain to attack England in their behalf, insured the independence of the United States." In similar strain, Lord Mahon declares that the surrender of Burgoyne "not merely changed the relations of England and the feelings of Europe towards these insurgent Colonies, but it has modified for all time to come the connexion between every Colony and every parent State."





CHAPTER V

FOREIGN RELATIONS AND THE FRENCH ALLIANCE

Vergennes

THE Seven Years' war had weakened and humiliated France but had not destroyed the pride of her people or the determination of her statesmen to regain what had been lost. With unrelenting energy, her great minister, Choiseul, strengthened the French navy, and watched for a weak spot in England's armor. Louis XV. died in 1774 and was succeeded by his grandson, Louis XVI., a youth of good intentions and feeble will. The new prime minister was the comte de Maurepas, but Maurepas was old and the department of foreign affairs was in the hands of Charles Gravier, comte de Vergennes, who was possessed by two absorbing ideas — to restore France to what he considered her rightful rank and to humble England.

Louis XVI.
(From painting by Duplessis, in Versailles Gallery, Paris)

Beaumarchais

Early in 1776, Vergennes laid before the king a memorial on foreign affairs suggesting that "all means should be employed to render the next campaign as animated as possible and to procure advantages to the Americans." But the kings of France and Spain were

not ready for a policy of undisguised assistance, and so Vergennes prepared a second memorial. The British ministry was to be deluded into a belief in the pacific purposes of France and Spain, and "the courage of the Americans should be kept up by the secret favors and vague hopes that will prevent accommodation." In spite of the contrary views of Maurepas and Turgot, Vergennes's policy prevailed and, in May, we find him writing to the king a letter of which, according to Lecky, "it is no exaggeration to say that it is more like the letter of a conspirator than of the minister of a great nation." He was about to authorize Caron de Beaumarchais (better known as the author of *The Barber of Seville* and *The Marriage of Figaro* than as the secret agent of the French government) to furnish the Americans with a million livres, about two hundred thousand dollars. 1776

In November, 1775, congress had appointed a committee of five on secret correspondence to communicate with friends of America in other countries and, in the spring of 1776, Silas Deane of Connecticut was sent to France as a secret political and financial agent. Deane arrived at Paris in June. His early solicitations for an interview with Vergennes were persistently denied, but within two hours after receipt of news of the declaration of independence and of Arnold's action on Lake Champlain he received a card from the minister requesting his immediate presence. At the conference that soon followed, Deane was cordially received — Deane

Silas Deane
(From engraving in the New York Public Library, Emmet Collection)

August

1776 the beginning of fruitful diplomatic relations between France and the United States.

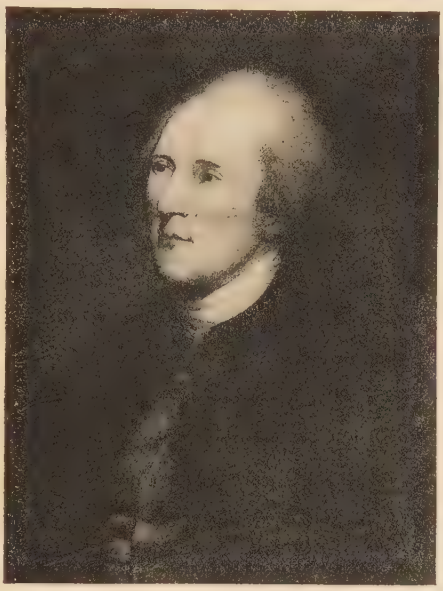
How it was Done

As a screen for contemplated operations, the fictitious firm of "Roderique Hortalez et Cie." had established its headquarters on a prominent street in Paris; the "firm" soon was selling to Deane, as "Timothy Jones," a Bermuda merchant, supplies for the American colonies. Thus Beaumarchais brought to Deane a first loan of a million livres to which was added another million sent by Spain. With this money, munitions of war were bought from the royal arsenals of France; and before the end of 1776, Deane secured thirty thousand stand of arms, thirty thousand suits of clothes, more than two hundred and fifty cannons (cast in the royal gun factories, but on which, by some convenient carelessness, the royal arms had not been stamped), and other military stores. When Lord Stormont, the British ambassador, made complaint, Vergennes openly forbade the ships of Roderique Hortalez et Cie. to sail from France and quietly allowed them to slip off as usual, and promised to put bonds on American privateers in French ports and left them undisturbed as before. Under such provocation, Stormont assumed so arrogant a tone that Vergennes replied: "If, sir, this is a declaration of war that you are making, allow me to go and announce it to the king." In September, congress chose Franklin and Jefferson to act with Deane as commissioners at Paris for the negotiation of treaties with foreign powers. For family reasons, Jefferson declined the service and congress appointed the somewhat querulous Arthur Lee in his place.

Arthur Lee

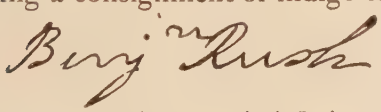
Since 1770, Arthur Lee, a Virginian who had been educated in England and had for ten years lived at the British capital, had acted as London agent for Massachusetts. At this time, he was also acting as the secret agent of the congressional committee on secret correspondence. Apparently in the hope of playing the principal part in the negotiations with France, Lee now hurried to Paris, quarreled with Deane, tried to disturb the relations between Deane and Beaumarchais, failing in

which he returned to London furious at both. In his jealousy, he wrote to congress, unjustly charging that, for the sake of personal gain, Beaumarchais and Deane were trying to transform what was intended as a gratuity into a commercial transaction. It was inevitable that the association of Lee with Franklin and Deane as joint commissioners at Paris would result in trouble; from it came a controversy that lasted more than half a century. 1776



Franklin Goes to France

Although more than seventy years of age and tortured by disease, Franklin accepted the mission to Paris, saying to Doctor Rush: "I am old and good for nothing; but, as the store-keepers say of their remnants of cloth, I am but a fag end, and you may have me for what you please to give." After placing all his available funds in the hands of congress, he embarked in a sloop of war carrying a consignment of indigo that was to be sold in France for the purpose of defraying the initial expenses of the American legation. The sloop was chased by a British war vessel, but sailed into Quiberon Bay with two prizes. Franklin soon arrived at Paris and entered upon his mission under favorable auspices. France prostrated herself at his feet and made him the symbol and object



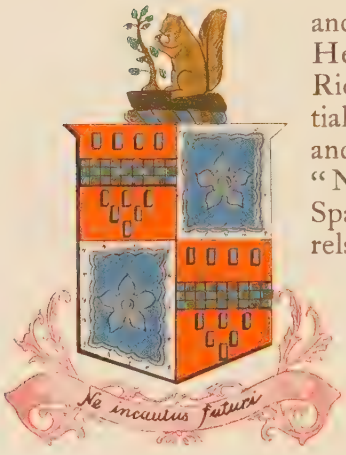
Autograph of Doctor Benjamin Rush

December 21

1777 of her adoration. "He came like a fresh and invigorating breeze. . . . His republican simplicity, like Ithuriel's spear, approached the intrenched methods of duplicity and deception and they shriveled at his touch. As legends of Richard the Lion-hearted still haunt the Arabian East, so do tales of Franklin, apocryphal or true, still survive in France."

Lee's Intrigues

After Franklin's arrival at Paris, Lee's monomania led him to continue his attacks upon Deane and to intrigue against both his colleagues. He wrote many letters to his brother, Richard Henry Lee, and to other influential persons at home charging Franklin and Deane with inefficiency and fraud. "No one who examines the subject," says Sparks, "can doubt that Mr. Lee's quarrels with Deane, his hostility to Franklin, and his disputes with everybody, a select few only excepted, were the primary causes of the warm altercations and endless perplexities which distracted the deliberations of congress on foreign affairs during two or three years of the most anxious period of the Revolution."



Coat of Arms of Richard Henry Lee

Deane's Recall

On the eighth of December, congress had passed a resolution recalling Deane to America on the pretext of obtaining information as to the state of affairs in Europe. Deane at once took passage, bringing letters of confidence from Franklin and Vergennes. Expecting to be received with applause for the services he had rendered, he found a cold reception and was kept waiting for a year and a half for a settlement of his accounts. Even then a just settlement was refused him. He was turned away from the doors of a body that should have manifested its gratitude and, disappointed and aggrieved, returned to Europe, a real exile. In 1789, he died in poverty in England. Congress did not intend to do Deane an injustice, but "it was misled

by the malevolence of Lee, and its action brought about the disgrace of the earliest diplomatic representative of the country." Fifty-eight years later, congress vindicated him by paying to his heirs about thirty-seven thousand dollars. 1776 1777

The Waiting Season December 28

Soon after Franklin reached Paris, he and his colleagues had a private interview with Vergennes. But diplomacy can do little in the face of military reverses and the commissioners reported to congress that "this court, while it treated us privately with all civility, was cautious of giving umbrage, and was, therefore desirous of avoiding open reception and acknowledgement of us, or entering into any formal negotiations with us as ministers from Congress." The envoys had perforce to wait, hoping for news of victory. Meanwhile, Franklin devoted himself to the not difficult task of winning the French people to his views.

Militia Diplomacy

In this interval and subsequently, overtures were made to other European courts. What John Adams called the "militia" policy was given a thorough trial. The party in congress that "believed in amateur generals and advocated a headlong strategy in war, pinned its faith in amateur ambassadors" and unceremoniously sent agents to European capitals to obtain recognition and loans. In the spring of 1777, and under instructions from home, Arthur Lee set out for Madrid. In heralding his approach to the court of Spain, he described the American republic as an infant Hercules who had strangled serpents in the cradle and declared that the hour had come to clip the wings of Britain and to pinion her forever. But the Spanish court was not moved by his mixed metaphors. He was not allowed to proceed beyond Burgos, though hopes were held out that Spain might render assistance within a year. March 8

Cold Comfort July 1

Arthur Lee's brother William, being accredited to Vienna, was informed that his presence at that capital was not desired; he was careful not to show himself within a hundred leagues of his destination. Ralph Izard, named as representative to Tuscany, had a similar experience and did not even leave Paris. Later in the war, Francis Dana was accredited to Russia; he reached Saint Peters- July 1

1777 burg in 1781, but Catherine the Great shrank from giving
1779 offense to England; her ministers informed him that he must not even petition to be received at court. As official society closed its doors against him and his existence was studiously ignored by the English who were the only people in Saint Petersburg with whom he could exchange an intelligible sentence, he lived in mortifying isolation.

Frederick the Great

Equally disappointing were the overtures made to Prussia. Frederick the Great, ablest and craftiest of all the monarchs of the day, had not forgiven England for deserting him in the Seven Years' war; for the party in power there he entertained a bitter hatred. Because of this hatred, he had repelled English overtures for assistance. "My indifference," he wrote to his minister at London, "can surprise nobody: 'a scalded cat dreads cold water,' says the proverb; and, in fact, what union could be contracted with this crown after the signal experience I have had of its duplicity? If it would give me all the millions possible, I would not furnish it two small files of my troops." But neither friendship nor hatred could influence him into following a course inimical to the interests of Prussia. He knew that Maria Theresa still hated him and that her son, the young Emperor Joseph, was full of ambitious schemes for the aggrandizement of Austria and the humiliation of Prussia. He was too wise to allow personal prejudices to lead him into open hostility to such a formidable power as England. At the same time, he was anxious to embroil France whose young queen was Maria Theresa's daughter. This would prevent that power from playing an active part in German affairs.

Lee's Advance on Berlin

The first direct overture made by America to Prussia occurred late in 1776. In November of that year, William Carmichael went to Berlin to make proposals of a commercial nature, but was unable to accomplish anything of importance. In the following February, the American commissioners at Paris transmitted to the Prussian court copies of the declaration of independence

and expressed a desire to obtain Frederick's friendship and to lay before him a plan for commercial intercourse. Thinking that in case of the success of the revolt the American market might prove valuable, Frederick instructed Baron Schulenburg, his minister of state, not to "offend the colonies by a complete refusal." In the following April, when the American commissioners wrote that one of their number would shortly visit Berlin "properly empowered to treat upon affairs of importance," Frederick thought the Americans "in too much of a hurry" and Schulenburg wrote to Arthur Lee to discourage him from coming. 1777

Hohenzollern Prudence

Before Schulenburg's letter reached Paris, Lee was on his way to Berlin. On his arrival, he was told that his stay would not be disagreeable to the king provided he did not assume a public character. Frederick instructed Schulenburg "to continue the same tone with him." To his brother, Prince Henry, the king wrote: "I purpose to draw out this negotiation in order to fall in with the side for which Fortune shall declare herself." Early in August, Lee returned to Paris, after having had his papers stolen by an agent of the English minister. The theft made Frederick very angry, but, desirous of not further straining his relations with England, he indulged in a few English expletives and took no violent action. After his return to Paris, Lee continued to inform the Prussian court of the progress of the war and to urge that Prussian ports be opened to American vessels. "Put him off with compliments" was Frederick's direction to Schulenburg, and the direction was followed. In November, Frederick refused to receive William Lee who had been accredited to Berlin.

Belated Recognition

When he heard of Burgoyne's surrender, Frederick assured the Americans that he would recognize their independence "when France, which is more directly interested in the event of this contest, shall have given the example." They were also told that they might purchase arms in Prussia and that the firm of "Splittgerber, contractors for the manufacture of arms, have received

January, 1778

1777
1778

directions to deliver such as you may demand." Under this permission, Arthur Lee purchased eight hundred fusils, but later found that they were old worn-out guns and useless. When Lee demanded that the firm should be compelled to do justice, Schulenburg told him that, as a good republican, he ought to know that the Prussian king had no power arbitrarily to right private breaches of contract. The attempt of Austria to seize Bavaria gave Frederick a convenient pretext for refusing to keep his promise to recognize America when France led the way. As Trevelyan says: "It was not until the rebellion had finally triumphed, and the world was once more at peace, that he followed the lead of Great Britain herself, and, long after the twelfth hour had struck, recognized the United States as an independent nation."

The Break of Day

Meanwhile, Franklin had won over the French people "heart and soul," but the French government remained timid. In July, 1777, Vergennes decided to render America more direct aid, but delayed in the hope of inducing Spain to join in the movement. While he was waiting, he heard of the fall of Ticonderoga and of Howe's victorious advance. The tone of the French government changed; supplies were more difficult to obtain; American privateers were seized in French ports; Beaumarchais was in despair; "My government," he said to Franklin, "will cut my throat as if I were a sheep." Then came the news of Saratoga. France was delighted and the difficulties of the American commissioners vanished. A courier was hurried to Madrid to gain the concurrence of Charles III. and work on treaties of commerce and alliance was begun. On the sixth of February, 1778, the two treaties were signed. On that day, according to a popular story, Franklin wore the suit of spotted Manchester velvet in which he had appeared before the privy council when he was denounced by Wedderburn.

December 7

The Treaties

The treaty of amity and commerce followed, in the main, lines that had been laid down by congress. That body had not even authorized the other and more impor-

tant treaty—the first and the only treaty of alliance into which the United States has ever entered. This second treaty declared the absolute and unlimited independence of the United States to be the chief aim of the alliance and provided for combined military movements in case England should declare war upon France. No treaty of peace was to be made by either power without the approval of the other. The United States guaranteed to France her existing American possessions and those that she might acquire by treaty, while France guaranteed to the United States her existing possessions and any acquisitions that she might make in the course of the war. A separate and secret agreement reserved for the king of Spain the right to become a party to the compact. The news of the alliance was received in the United States in April; the treaties were ratified by congress on the second of May. At Valley Forge, a day set apart for general rejoicing was observed with all the pomp and pageantry that such a camp could provide. In all the colonies, the treaties brought to the patriots encouragement and joy. 1778

> Once more! the land of arms and arts,
> Of glory, grace, romance;
> Her love lies warm in all our hearts:
> God bless her! *Vive la France!*

English Indignation

Within two days, the British ministry knew of the signing of the treaties—ample occasion for a fresh quarrel between Arthur Lee and Silas Deane. A month later, the French ambassador at London announced the alliance by leaving a rescript with the English secretary of state. Of course, England was indignant and the indignation blazed up fierce and high. The British ambassador was recalled from Paris; the French ambassador left London and was pelted as he passed through the streets of Canterbury on his way to Dover. War was not formally declared, but hostilities between the two ancient enemies were begun in May. March 13

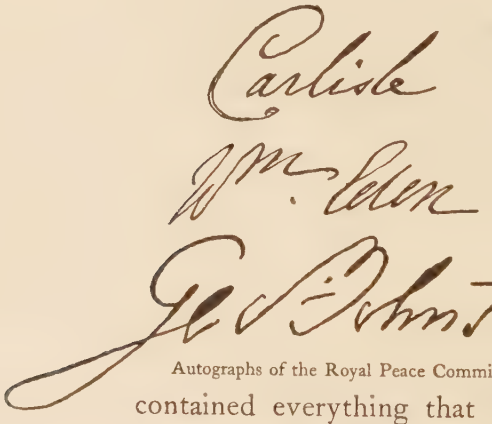
Attempted Reconciliation

The English ministry had foreseen the gathering storm and had begun to make preparation for it. Not long before the adjournment of parliament, Lord North, with

1777 the unwilling consent of the king, announced that after
1778 the holidays the ministry would bring in conciliatory
December 10 resolutions. Chatham urged immediate action, declaring that there was no time to lose. Eleven days after the signing of the treaties at Paris, the prime minister announced his scheme for the reconciliation of the alien-
February 17 ated colonies. The tax on tea, the commercial restrictions, the Boston port act, the law that destroyed the Massachusetts charter, and other odious acts were to be repealed; full and general pardon was to be proclaimed; England was to grant everything asked for by America except independence. Commissioners were to be sent over to arrange the details of pacification and they were to be empowered to address the American commander-in-chief and other officers and officials "by any style or title" that the personages saw fit to assume. "Small or great, ceremonial or essential, every point in the dispute between the British Cabinet and the Continental Congress was surrendered without ambiguity and without reserve," says the English historian, Trevelyan.

The Carlisle Commission

The speech, says the *Annual Register*, was "heard with profound attention, but without a single mark of approbation to any part, from any description of men or any particular man in the House. Astonishment, dejection, and fear overclouded the whole assembly." Although the suggested measures ran directly counter to all that the party in power had been fighting for, the Tories followed their leaders. As they contained everything that the Whigs had contended for (except the Rockingham faction which favored independence), the Whigs could not consistently oppose them. The bills were passed in March and the earl of Carlisle,

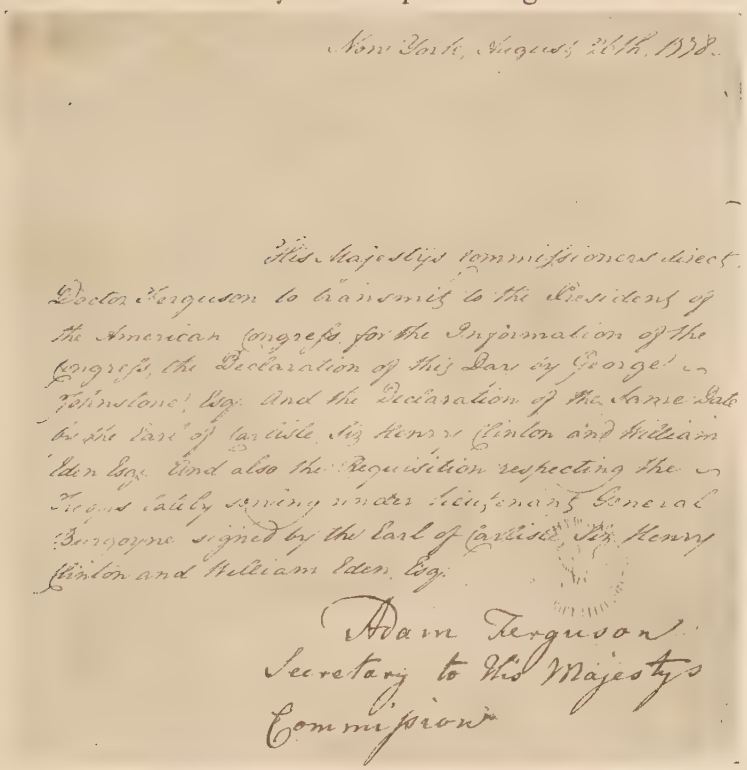


Autographs of the Royal Peace Commissioners

George Johnstone, and William Eden were sent as commissioners to the United States. 1778

In this hour of danger, the eyes of Englishmen turned to Chatham as the only man who could save England from destruction. He was feared in France and loved in America. If conciliation was possible, he was the man to bring it about; if war was the only alternative, he was the man to manage the war. Lord North implored King George to send for Chatham; Bute, Mansfield, and others of Chatham's enemies and political opponents favored such a step; the people almost universally demanded it. But the king was obstinate. He clearly foresaw that the accession of Chatham would mean recession from the system of personal government that

Lord Chatham Wanted

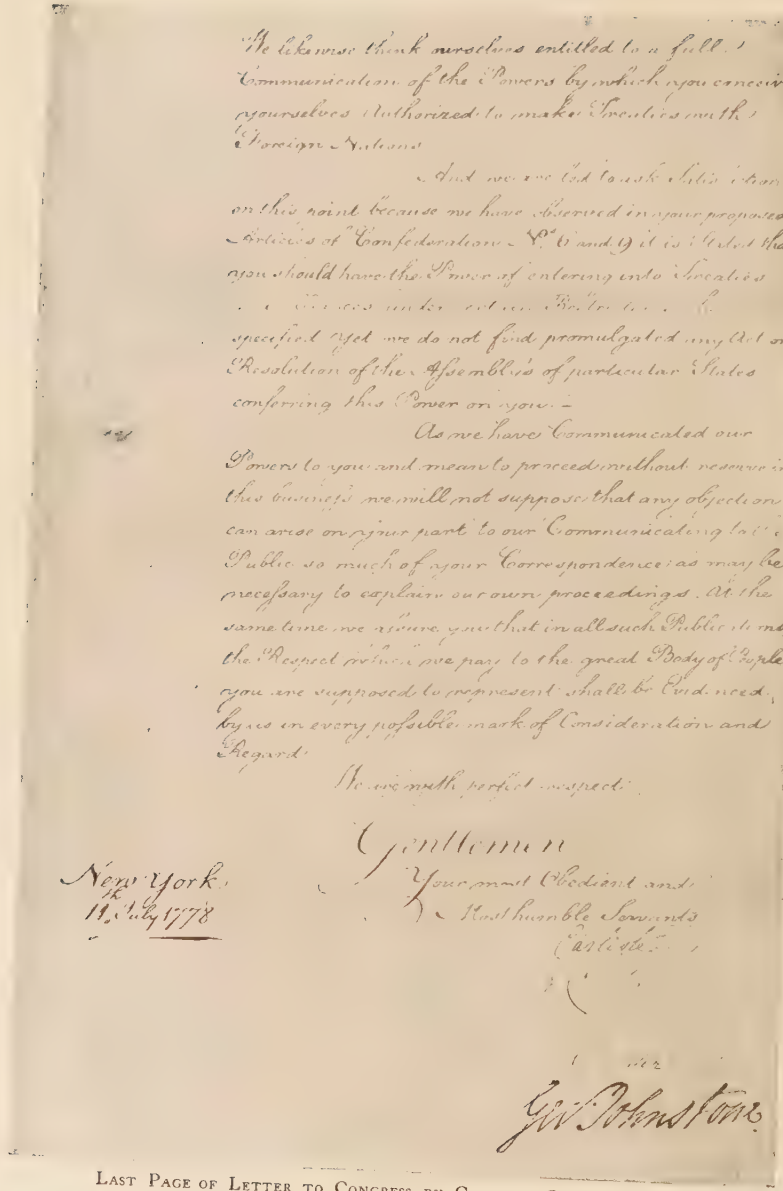


New York, August 26th 1778.

His Majesty's commissioners direct Doctor Ferguson to transmit to the President of the American Congress for the Information of the Congress, the Declaration of this Day by George Johnstone Esq. And the Declaration of the same Date by the Earl of Carlisle Sir Henry Clinton and William Eden Esq. And also the Requisition respecting the Troops lately serving under Lieutenant General Burgoyne signed by the Earl of Carlisle Sir Henry Clinton and William Eden Esq.

Adam Ferguson
Secretary to His Majesty's
Commissions

Pass given to Adam Ferguson by the Royal Peace Commissioners



We likewise think ourselves entitled to a full
Communication of the Powers by which you conceive
yourselves authorized to make Treaties with
Foreign Nations

And we are led to ask this Information
on this point because we have observed in your proposed
Articles of Confederation N.° 6 and 9 it is stated that
you should have the Power of entering into Treaties
& Alliances under certain Restrictions
specified yet we do not find promulgated any Act or
Resolution of the Assemblies of particular States
conferring this Power on you.—

As we have Communicated our
Powers to you and mean to proceed without reserve in
this Business we will not suppose that any objection
can arise on your part to our Communicating to the
Public so much of your Correspondence as may be
necessary to explain our own proceedings. At the
same time we assure you that in all such Publications
the Respect which we pay to the great Body of People
you are supposed to represent shall be evidenced
by us in every possible mark of Consideration and
Regard.

We are with perfect respect

Gentlemen
Your most Obedient and
Most humble Servants
Carlisle
[illegible]

New York
11 July 1778

Geo. Johnstone

Last Page of Letter to Congress by Carlisle, Clinton, Eden, and Johnstone, dated July 11, 1778
(From original in the Library of Congress)

he had laboriously created. He was willing for Chatham to become a subordinate minister under North, but he would not go further. "No advantage to this country," he said, "no present danger to myself, can ever make me address myself to Lord Chatham or to any other branch of the Opposition." "Whilst any ten men in the kingdom will stand by me I will not give myself up into bondage," he declared later. 1778

Chatham's Death

On the seventh of April, the duke of Richmond moved an address to the crown, asking the king to withdraw his fleets and armies from the revolted provinces and "to effectuate conciliation with them on such terms as might preserve their good will." On crutches and wrapped in flannel to his knees, Chatham hobbled into the house of lords and spoke against the motion. "His sunk and hueless face, rendered the more ghastly by the still penetrating brilliancy of his eyes, bore plainly on it the impress of approaching death." His voice was barely audible in the almost breathless silence of the house as he protested "against the dismemberment of this ancient and most noble monarchy" and laughed to scorn the danger of invasion. Richmond made respectful answer and Chatham essayed a reply. After two or three unsuccessful efforts to rise, he fell backward; on the eleventh of May, he died. The address to the crown was rejected by a small majority.

It Might Have Been

It may well be doubted whether even Chatham could have effected a reconciliation. Governor Clinton of New York declared that Lord North was "two years too late with his political manœuvre" and Jay found no one willing to accept peace on the terms offered. Congress resolved to hold no "conference or treaty with any commissioners on the part of Great Britain until they shall, as a preliminary thereto, either withdraw their fleets and armies, or else in positive and express terms acknowledge the independence of the said States." The commissioners reached Philadelphia in June, but congress, in terms curt, conclusive, and almost defiant, refused to negotiate with them. The commissioners then issued a procla- April 22

By the CONGRESS of the UNITED STATES of AMERICA.

MANIFESTO.

THESE United States, having been driven to hoſtilities by the oppreſſive and tyrannous meaſures of Great-Britain: having been compelled to commit the eſſential rights of man to the deciſion of arms; and having been at length forced to ſhake off a yoke which had grown too burthenſome to bear, they declared themſelves free and independent.

Confiding in the juſtice of their cauſe; confiding in Him who diſpoſes of human events, although weak and unprovided, they ſet the power of their enemies at defiance.

In this confidence they have continued, through the various fortune of three bloody campaigns, unawed by the power, unſubdued by the barbarity of their foes. Their virtuous citizens have born without repining, the loſs of many things which make life deſireable. Their brave troops have patiently endured the hardſhips and dangers of a ſituation, fruitful in both beyond former example.

The Congreſs, conſidering themſelves bound to love their enemies, as children of that Being who is equally the Father of all; and deſirous, ſince they could not prevent, at leaſt to alleviate the calamities of war, have ſtudied to ſpare thoſe who were in arms againſt them, and to lighten the chains of captivity.

The conduct of thoſe ſerving under the King of Great-Britain hath, with ſome few exceptions, been diametrically oppoſite. They have laid waſte the open country, burned the defenceleſs villages, and butchered the citizens of America. Their priſons have been the ſlaughter-houſes of her ſoldiers, their ſhips of her ſeamen, and the ſeverelt injuries have been aggravated by the groſſeſt inſult.

Foiled in their vain attempt to ſubjugae the unconquerable ſpirit of freedom, they have meanly aſſailed the Repreſentatives of America with bribes, with deceit and the ſervility of adulation. They have made a mock of humanity, by the wanton deſtruction of men: They have made a mock of religion, by impious appeals to God whilſt in the violation of his ſacred commands: They have made a mock even of reaſon itſelf, by endeavouring to prove, that the liberty and happineſs of America could ſafely be entruſted to thoſe who have *ſold their own*, unawed by the ſenſe of virtue or of ſhame.

Treated with the contempt which ſuch conduct deſerved, they have applied to individuals: They have ſolicited them to break the bonds of allegiance, and imbrue their ſouls with the blackeſt of crimes: But fearing that none could be found through theſe United States, equal to the wickedneſs of their purpoſe, to influence weak minds they have threatened more wide devaſtation.

While the ſhadow of hope remained, that our enemies could be taught by our example to reſpect thoſe laws which are held ſacred among civilized nations, and to comply with the dictates of a religion which they pretend in common with us to believe and to revere, they have been left to the influence of that religion, and that example. But ſince their incorrigible diſpoſitions cannot be touched by kindneſs and compaſſion, it becomes our duty by other means to vindicate the rights of humanity.

We therefore, the Congreſs of the United States of America, Do ſolemnly declare, and proclaim, That if our enemies preſume to execute their threats, or perſiſt in their preſent career of barbarity, we will take ſuch exemplary vengeance as ſhall deter others from a like conduct. We appeal to that God who ſearcheth the hearts of men for the rectitude of our intentions. And in his holy preſence we declare, That as we are not moved by any light and haſty ſuggeſtions of anger or revenge, ſo through every poſſible change of fortune we will adhere to this our determination.

DONE in Congreſs, by unanimous conſent, the Thirtieth day of October, One Thouſand Seven Hundred and Seventy-eight.

HENRY LAURENS, Preſident.

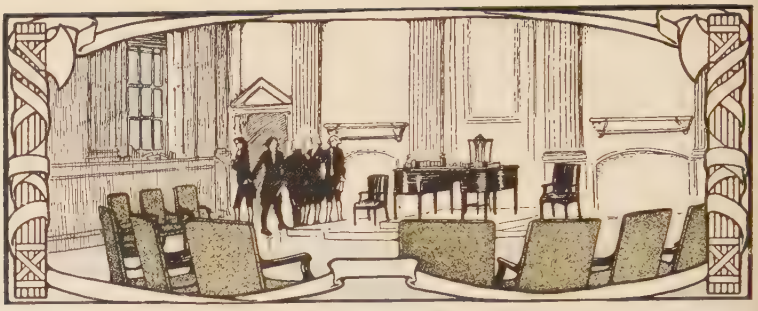
Atteſt. CHARLES THOMSON, Secretary.

CONGRESS'S MANIFESTO IN RESPONSE TO THE OVERTURES OF THE PEACE COMMISSIONERS, DATED OCTOBER 30, 1778

mation promising pardon to all who would return to their allegiance. To this promise they added threats. Hitherto, the English had "checked the extremes of war when they tended to distress a people still considered as our fellow subjects and to desolate a country shortly to become again a source of mutual advantage." Now, "the question is, how far Great Britain may by every means in her power destroy or render useless a connection contrived for her ruin and for the aggrandizement of France." These threats were issued without authority, 1778

Caricature of the Peace Commission of 1778

but they were prophetic. In October, the commissioners, disappointed and angry, sailed for home. It is difficult to avoid a surmise as to what would be the present status of the United States if Lord North had not been "too late" or if the rebellious continentals and their congress had been more pliant.

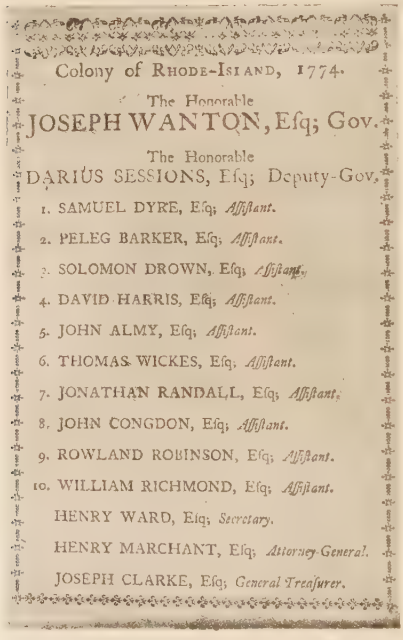


CHAPTER VI

NEW GOVERNMENTS, STATE AND CONFEDERATE

Congressional Recommendations

WHILE American soldiers were fighting in the field, American statesmen were laboring to set up new state governments in place of those that had been overturned. The beginnings of that work have already been described. In June, 1775, the continental congress advised Massachusetts to choose officers according to her ancient constitution, "to exercise the powers of government until a governor of His Majesty's appointment consent to govern the colony according to its charter." In November, it advised New Hampshire and South Carolina to form temporary governments and, in the following month, counseled Virginia likewise.


Colony of RHODE-ISLAND, 1774.

The Honorable
JOSEPH WANTON, Esq; Gov.

The Honorable
DARIUS SESSIONS, Esq; Deputy-Gov.

1. SAMUEL DYRE, Esq; *Assistant.*
2. PELEG BARKER, Esq; *Assistant.*
3. SOLOMON DROWN, Esq; *Assistant.*
4. DAVID HARRIS, Esq; *Assistant.*
5. JOHN ALMY, Esq; *Assistant.*
6. THOMAS WICKES, Esq; *Assistant.*
7. JONATHAN RANDALL, Esq; *Assistant.*
8. JOHN CONGDON, Esq; *Assistant.*
9. ROWLAND ROBINSON, Esq; *Assistant.*
10. WILLIAM RICHMOND, Esq; *Assistant.*

HENRY WARD, Esq; *Secretary.*
HENRY MARCHANT, Esq; *Attorney General.*
JOSEPH CLARKE, Esq; *General Treasurer.*

Rhode Island Ballot for Colony Officers

Colonial Action

Rhode Island and Connecticut continued existing governments under their charters. By July, Massachusetts was

again working under the forms of her charter and the proclamation urging obedience to the new government closed with "God save the people!" instead of "God save King George!" In New Hampshire, a congress met at Exeter and framed and adopted a "constitution" without submitting it to the people. In South Carolina, the procedure was equally undemocratic. Instead of calling "a full and free representation of the people," as congress advised, the provincial congress, which was far from being representative of the whole people, set up a constitution and then resolved themselves into an assembly. Virginia did not immediately act upon the recommendation given by congress, but a convention met on the sixth of May, 1776, at Williamsburg, instructed its delegates in congress

1775
1776

South Carolina State Seal, adopted in 1776

January 5, 1776

Red Hill, the Homestead of Patrick Henry

March 26

1776 to 1784 June 29

to work for independence, provided a constitution, and elected state officers. Patrick Henry was chosen governor and Edmund Randolph attorney-general. The new government at once went into operation.

More Colonial Action

July 2–8, 1777

After the congressional recommendation of the tenth of May, 1776, and the explanatory preamble of the fifteenth, the remaining colonies framed and adopted constitutions. Even Vermont took such action and applied for admission. In 1778, South Carolina remodeled her hastily shaped corner-stone. In 1778, the Massachusetts general court adopted a constitution that was rejected by the town-meetings in 1779. The next draft, prepared by a specially elected convention, was submitted to the people who, after long and careful scrutiny, adopted it in 1780. In New Hampshire, an amended constitution was rejected by the people in 1779. A new convention met in 1781; the constitution that it framed was discussed and amended, and finally ratified in 1784.

Written Frames of Government

Although written constitutions were then uncommon, every colony adopted such an instrument excepting Rhode Island and Connecticut, which had saved their royal charters. The explanation is simple. Almost every colony then had or had had a charter that served the purposes of a constitution. It was natural for the Revolutionary statesmen to substitute written constitutions authorized by the people in the place of charters granted by the king.

Their Legal Character

In most of the colonies, the first constitutions were framed by bodies not specifically authorized to do the work and the instruments thus framed were not submitted to the people for their acceptance or rejection. In fact, Massachusetts was the only state the first constitution of which was so framed and adopted. In the later sense of an instrument that can be amended only by some special procedure authorized by the authority from which it proceeds, some of them were not constitutions at all. For instance, the New Jersey constitution left the legislature free to alter any part of it except sections relating to religious freedom, annual elections, and trial by jury,

and, in 1777, the legislature exercised this power and amended the instrument much as they might an ordinary statute. In South Carolina, the instruments of 1776 and 1778 were declared by the supreme court of the state to be merely acts of the general assembly which that body could amend at pleasure. Such instruments were frames of government rather than constitutions as we now understand that term. 1776 1780

Their Political Character

However undemocratic the manner of framing and adoption, it was assumed that these constitutions represented the will of the people. "Governments derive their just powers from the consent of the governed," said the declaration of independence; everywhere it was admitted that the people are the basis of all legitimate political authority. In preamble, special bill of rights, or in some other form, the rights and privileges of the people—freedom of speech, habeas corpus, trial by jury, right of petition, exemption from arbitrary search, etc.,—were carefully set forth in most of the constitutions. The exercise of many powers was strictly forbidden and, to prevent usurpation, a great variety of checks and balances was created.

The Executive

For generations, in most of the colonies, the royal or the proprietary governor had been the *bête-noir* of the people. In New England especially, a similar feeling of hostility to the king had been entertained and, among the Whigs, this hatred was now universal. It was natural, therefore, that the executive should be regarded as "a necessary evil, a demon to be bound." In eight states he was chosen by the legislatures and thus became their creature; in ten states his term of office was limited to a year; in only two states did he have a veto. In some states he was held in check by a council of which he was little more than the presiding officer. In some states the title "Governor" was so hated that the chief executive was called the "President;" in South Carolina, his title was "President and Commander-in-chief."

The Legislature

In the anxiety to curb the executive, some of the constitutions disregarded the theory of the division of powers

1776 1780 about which there was so much talk and concentrated authority chiefly in the legislature. In most of the states this body was organized on the bicameral plan. The members of the upper house, usually called the "senate" or "legislative council," were in some states elected by the people, in others by the lower house, though in Maryland they were chosen by a special college of electors, a cumbersome device later adopted into the federal constitution. The lower house was variously known as "the house of delegates," "assembly," "house of assembly," "house of commons," and "house of representatives;" in some states it was a more democratic body than the upper house. In Virginia, all legislation had to originate in the lower house and the same limitation as regards money bills was general.

No Nobility

In nothing was the democratic tendency of the times more clearly shown than in the provisions against the establishment of a nobility or an hereditary class. "No man or set of men," declared the Virginia bill of rights and the North Carolina constitution, "are entitled to exclusive or separate emoluments or privileges from the community but in consideration of public services." Four states forbade the entailing of estates—"that chief support of hereditary aristocracy." The Virginia constitution did not mention the subject, but, under the leadership of Jefferson, the system was abolished by statute late in 1776. When Pendleton, one of the leaders of the aristocracy, urged that the eldest son be allowed at least a double share, Jefferson replied in substance: "Not till he can eat a double allowance of food and do a double allowance of work."

Suffrage Limitations

The new governments were, however, not thoroughly democratic. In every constitution that mentions the subject, the suffrage was limited by property or tax-paying qualifications and, in some, by religious tests also. "The new garments, as the old, derived their 'just powers' from the consent of the property-owners and the taxpayers, not the plain people." In Massachusetts and some other states, representation was based upon the

number of taxpayers or freeholders or upon the amount of taxes paid, not upon the number of inhabitants. Eligibility to office was usually dependent on property and sometimes on religious qualifications. In North Carolina, for example, a member of the senate must own within the county he represented three hundred acres of land in fee; a member of the house of commons, not less than one hundred. In Maryland, a senator must be worth one thousand pounds current money; a member of the house of delegates, five hundred pounds. In Massachusetts, the governor must have a freehold in the state worth one thousand pounds and must "declare himself to be of the Christian religion." In New Hampshire, under the second constitution, the president of the council must be worth five hundred pounds and be a Protestant. 1776 1781

Are We a Nation?

During this period of making state constitutions, the central authority was exercised by the continental congress. A dispute concerning the nature of this body was long waged, but since the civil war it has been of almost purely academic interest. On the one hand, it has been contended that, during the period of the continental congress, each state was independent and that there was no nation in the true sense of the word. On the other hand, it has been contended, as Abraham Lincoln contended in his first inaugural address, that the Union is older than the states.

The Affirmative

The answer to the question depends largely upon the point of view; there are facts hard to reconcile with either theory. From the first moment of the existence of the continental congress, "there was," says Professor Burgess, "something more than thirteen local governments. There was a sovereignty, a state; not an idea simply or upon paper, but in fact and in organization." The continental congress, say these thinkers, was a revolutionary body, representing the revolutionary party throughout the country, not the states. This body fought the common battle, exercised most of the powers usually considered as sovereign, and upon its success or

1774 failure depended the independence or subjection of Amer-
1781 ica. In his commentaries on the national constitution, Story says that the congress came from "the people, acting directly in their primary sovereign capacity and without the intervention of the functionaries, to whom the ordinary powers of government were delegated."

The Negative

In commenting on Story's statement, Van Tyne says: "The facts are that delegates [to the first continental congress] from two colonies were chosen by the legislatures, elected by the people in the ordinary way for the ordinary purposes of law making. The delegates from Massachusetts, a third colony, were chosen by the lower house duly elected, with no special instructions to choose delegates to the Continental Congress. Georgia was not represented at all and in only six colonies were there special conventions or provincial congresses of the nature Story imagines them to have been. . . . The colonies sending delegates to the First Continental Congress no more coalesced into a national state by that act than did the colonies which sent delegates to the Albany Congress or the Stamp Act Congress." Seven of the delegations to the second continental congress were chosen by provincial congresses or conventions, but, "if the instructions to Congress meant anything, the delegates came together unauthorized by the people to act as a national government."

The Popular Idea

There can be little question that, then and later, the great majority of the people would have repudiated the idea that congress was a sovereign body and that the states were dependent; there was not among the people a general consciousness of nationality. On the other hand, viewed from the standpoint of what the congress really was rather than from what the people thought it was, congress was a true, but imperfect type of national government. Until the independence of the revolted colonies was recognized by the nations, all governmental authority therein was *de facto* only. The people acquiesced in the assumption by congress of sovereign powers and in this acquiescence lay the chief source of

its authority. Had it been overthrown, no government established by the insurgents would ever have been recognized by the world at large as a government *de jure*. 1776 1777

Attempts at Confederation

A movement to create a central government with definite powers was begun as soon as it became evident that independence would be declared. On the day on which the committee for drafting the declaration of independence was appointed, it was resolved that another committee should be named "to prepare and digest the form of a confederation to be entered into between these colonies." The committee was appointed the next day and included Samuel Adams, John Dickinson, Edward Rutledge, and Roger Sherman. Before the end of the month, a plan drawn up by Dickinson was in the hands of the committee and, on the twelfth of July, it was reported to congress. Congress ordered a copy printed for each member and enjoined secrecy both as to the plan and the debates. The plan was considered for several weeks. Then, because congress was "pretty thin, and hurried with other business," and because of the defeats sustained by the American army and the uncertainties of the future, the subject was dropped for the time being.

June 11

Tendency toward Disintegration

There was, however, a growing recognition of the need of a more efficient general government and, on the eighth of April, 1777, congress resolved to consider the plan two days in every week "until it shall be wholly discussed." Meanwhile, many of the ablest members had entered the army or the state governments, or had failed of reëlection. "The continental congress and the currency are greatly depreciated," wrote Gouverneur Morris. By the fifteenth of November, when the final vote was taken, Samuel Adams was the only remaining member of the original committee. This dearth of statesmen in congress, joined with a growing spirit of local independence, proved fatal to all attempts to frame a strong government. Practically every change made in Dickinson's draft weakened the proposed central author-

1777 ity. The tendency was toward separation rather than closer union, although to every thoughtful mind it was clear that such a tendency could lead only to disaster.

Back into Bondage

The expenses for war and the general welfare were to be paid from a common treasury supplied by the several states in proportion to the value of the lands "granted to or surveyed for any person." But congress had no authority to make the valuation and taxes were to be levied by the authority of the several states and under their direction. The thirteen sovereigns would not grant to congress a power that they had denied to George III. and the restriction that the United States should not levy a tax or impose duties was accepted without remark. "No one explained the distinction between a superior power wielded by an hereditary king in another hemisphere and a superior power that should be the chosen expression of the will and reason of the nation. The country had broken with the past in declaring independence; it went back into bondage to the past in forming its first constitution."

A Rope of Sand

Whatever may have been the nature of the government under the continental congress, there can be no question regarding that instituted by the articles of confederation. The new political organism was to be called "The United States of America" and the union was to be perpetual, but the second article expressly provided that "each State retains its sovereignty, freedom, and independence." If there had ever been an American state in objective organization, it gave way when the new articles went into effect. True, the states did waive the exercise of some of their sovereign rights, but those rights were only delegated to a common agent. The states remained sovereign; the union was only an alliance. National authority could neither veto nor revise state legislation. The United States was left destitute even of the incidental authority needed to carry into effect the powers that were granted to it. The confederation was an attempt "to reconcile a partial sovereignty in the union with complete sovereignty in the states, to subvert

a mathematical axiom by taking away a part and letting the whole remain." 1777

The fourth article provided that the free inhabitants of each state, "paupers, vagabonds, and fugitives from justice excepted," should be entitled to all the privileges and immunities of free citizens in the other states, and that each state should give full faith and credit to the records, acts, and judicial proceedings of the courts and magistrates of every other state. Herein lay the reality of the nascent union; the most significant gain for the new republic. The expression "The People of the United States" is not to be found in the articles of confederation, but, by the provisions of that instrument, free inhabitants became free citizens and all were made one people. The Germ of Nationality

Instead of the power to tax, the new government was permitted to make requisitions upon the states. The method of determining the quota of each occasioned another debate. On the thirteenth of October, 1777, congress voted down a motion that the share of each state should be determined by the value of all the property within the state, "except household goods and wearing apparel," after which it was proposed to exempt slaves from taxation. The vote came the next day, New Jersey determined the issue, and all property in human flesh and blood was exempted from taxation. It was the first division on the slavery question. The National Revenue

One of the hardest struggles was over the question of representation. In deference to the wishes of the smaller states it was finally decided that there should be absolute equality of states. Virginia, which claimed a domain that reached from the Atlantic to the Mississippi and the great lakes was to have no more votes than Rhode Island. Each state was to choose each year not fewer than two nor more than seven delegates whose expenses were to be met by the states sending them to congress. Representation

Congress was to have the sole and exclusive power to determine peace or war; to make treaties and alliances; to build and equip a navy; to grant letters of marque and reprisal in times of peace; to fix standards of weights The Authority of Congress

1777 and measures; to establish and regulate a postal service between the states; to make rules for the government of the land and naval forces in the service of the United States, to direct their operations and to appoint all naval officers and all officers of the land forces above those of regimental rank. It was authorized to do certain other things concerning which the reader is referred to the full text of the articles printed in the appendix to this volume.

Restrictions on Congress

The complete inefficiency of congress was assured by the rules prescribed for its procedure. It was to meet on the first Monday of each November. It was to elect its own president, but no one could hold the office more than one year in any period of three years. This restriction, together with a clause that forbade any man to sit in congress more than three years out of six, could not fail seriously to impede the development of national statesmen. All important questions concerning war, treaties, the appropriation of money, etc., required the assent of nine states. Other than to adjourn from day to day, congress could do nothing without the assent of the majority of the states. No amendment of the articles could be made unless first agreed to in congress and subsequently agreed to by the legislatures of all the states. This difficulty of amendment proved a temporary drag and an ultimate blessing. As the country drifted toward anarchy and it was found impossible to amend the articles, the people were forced into the destruction of the whole system.

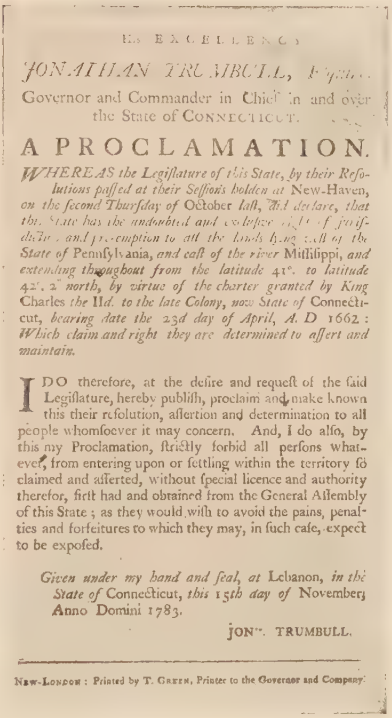
The Impotence of Congress

Congress could not even exercise its enumerated powers unhampered. It was unable to prevent or to punish offenses against its own laws, or even to perform its own duties. It could decide territorial disputes between the states, but it could not compel either party to abide by its decision. It could make treaties with foreign states, but states and individuals might violate them with impunity. It could make requisitions upon the states for money, but it could not compel the states to pay the money; it could pledge the public faith but was left without effectual means for taking the public

faith out of pawn. For the observance of the articles congress had no guarantee except the promise of the states, and that proved to be worthless. 1777 1781

The articles of confederation were finally agreed to by congress on the fifteenth of November, 1777, but to give them validity the assent of every one of the thirteen legislatures was necessary. Little as the states were giving up, they interposed objection and delay. Some objected to the method for apportioning taxes and troops; many criticisms were made upon the phraseology. New Jersey desired a provision for the central regulation of foreign trade. South Carolina returned the articles to congress with the recommendation that inter-citizenship should be confined to white men, but by a decided vote congress refused to make the change suggested. Quibbling States

A more serious cause of delay was the dispute about the western territory. The king of England had fixed western boundaries to six of the states, New Hampshire, Rhode Island, New Jersey, Pennsylvania, Delaware, and Maryland. New York claimed to have no western boundary but was less stubborn than were some of the others. By virtue of sea-to-sea charters, the other six states had claimed to extend across the continent, but the treaty of 1763 and the transfer of Louisiana to Spain had forced them to move their "South Sea" up to the Western Lands



HIS EXCELLENCY

JONATHAN TRUMBULL, Esq.

Governor and Commander in Chief in and over the State of CONNECTICUT.

A PROCLAMATION.

WHEREAS the Legislature of this State, by their Resolutions passed at their Session holden at New-Haven, *on the second Thursday of* October *last, did declare, that this State has the undoubted and indefeasible right of jurisdiction and pre-emption to all the lands lying east of the State of* Pennsylvania, *and east of the river* Mississippi, *and extending throughout from the latitude* 41°. *to latitude* 42°. 2′ *north, by virtue of the charter granted by King* Charles *the* IId. *to the late Colony, now State of* Connecticut, *bearing date the* 23*d day of April, A. D* 1662: *Which claim and right they are determined to assert and maintain.*

I DO therefore, at the desire and request of the said Legislature, hereby publish, proclaim and make known this their resolution, assertion and determination to all people whomsoever it may concern. And, I do also, by this my Proclamation, strictly forbid all persons whatever, from entering upon or settling within the territory so claimed and asserted, without special licence and authority therefor, first had and obtained from the General Assembly of this State; as they would wish to avoid the pains, penalties and forfeitures to which they may, in such case, expect to be exposed.

Given under my hand and seal, at Lebanon, *in the State of* Connecticut, *this* 15*th day of* November, Anno Domini 1783.

JON^{A}. TRUMBULL.

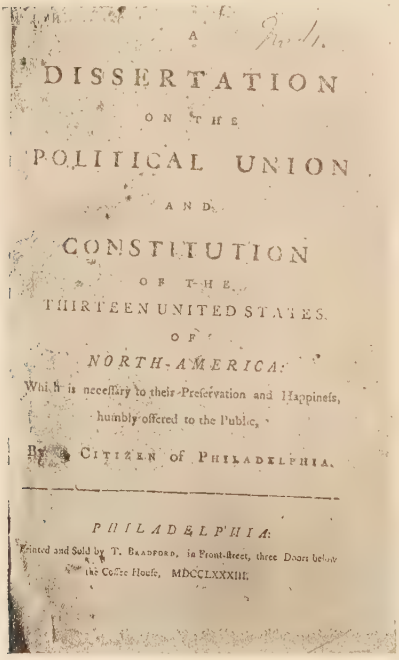
NEW-LONDON: Printed by T. GREEN, Printer to the Governor and Company.

Proclamation by Jonathan Trumbull, Governor of Connecticut, relative to the Western Claims of that Colony

1777 Mississippi. Virginia also claimed the country north-
1781 west of the Ohio by virtue of the "west and northwest" clause of a charter that had been annulled for more than a century and a half, her claim thus overlapping those of Massachusetts and Connecticut. Without any hope of sharing in the western lands, the non-claimant states naturally saw a want of right and reason in the claims of the others. To them it seemed that when the king forbade the sale of lands beyond the Alleghenies and united that territory to Quebec he established western boundaries even for the states whose charters had not been annulled. Moreover, the western territory was to be won from the enemy by united action and the fruit of a common effort should be a common possession.

Ratification

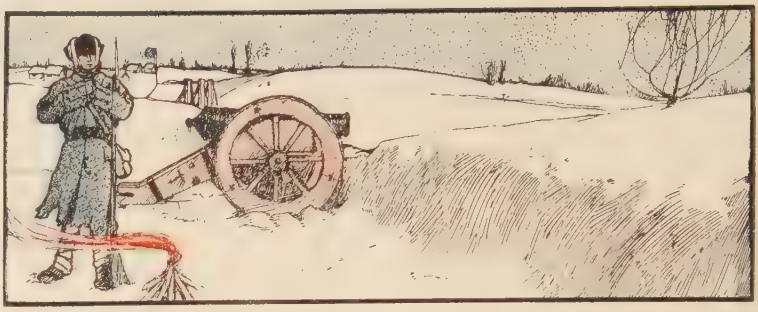
In spite of these objections, the articles of confederation were signed, in July, 1778, by the delegates of all the states except New Jersey, Delaware, and Maryland; New Jersey fell into line in the following November, and Delaware in May, 1779. Maryland, however, refused to sign until some satisfactory arrangement had been made regarding the western lands. In January, 1780, New York gave up her claims to all land west of the meridian of the extreme western end of Lake Ontario and congress urged similar action upon the other states. In January of the following year, Virginia, whose claim had been strengthened by the campaigns of George Rogers Clark, of which more hereafter, provisionally


A
DISSERTATION
ON THE
POLITICAL UNION
AND
CONSTITUTION
OF THE
THIRTEEN UNITED STATES
OF
NORTH-AMERICA:
Which is necessary to their Preservation and Happiness,
humbly offered to the Public,
By a CITIZEN of PHILADELPHIA.
PHILADELPHIA:
Printed and Sold by T. BRADFORD, in Front-Street, three Doors below
the Coffee House, MDCCLXXXIII.

Title-page of Pelatiah Webster's Pamphlet

yielded her title to the territory northwest of the Ohio. Maryland then gave her delegates authority to sign the articles. They did so on the first of March, 1781, and thus completed the ratification. On the following day, the revolutionary congress met as the congress of the confederation. Six weeks later, James Madison proposed and Washington supported an amendment to give the United States power to employ the military and naval forces to compel delinquent states to fulfil their federal engagements and, in May, 1783, Pelatiah Webster published a pamphlet urging a federal convention for reconstructing the whole scheme of government. "In civil affairs, as much as in husbandry, seed-time goes before the harvest, and the harvest may be in the seed, the seed in the harvest."

1781 February 2

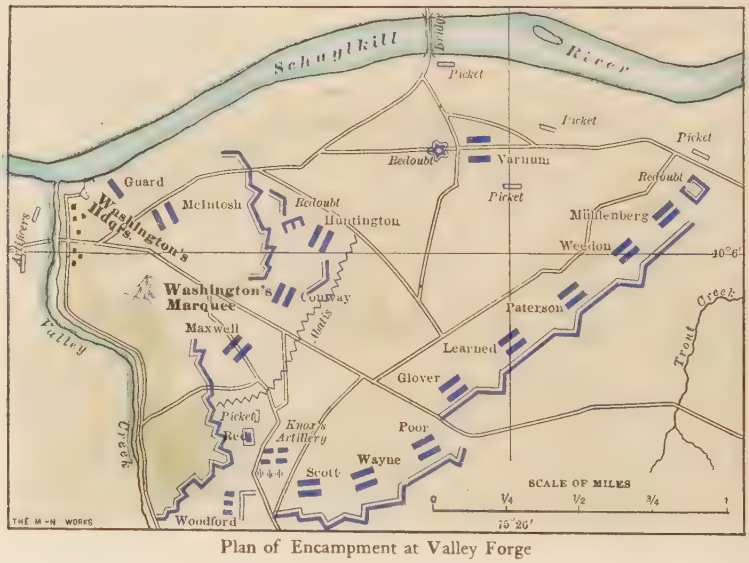


CHAPTER VII

VALLEY FORGE, MONMOUTH, AND NEWPORT

Camp and Costume

DURING the winter of 1777–78, Washington's little army lay among the wood-clad hills at Valley Forge. The log huts that the soldiers built were arranged in parallel streets, each brigade by itself, and gave the camp something of the appearance of



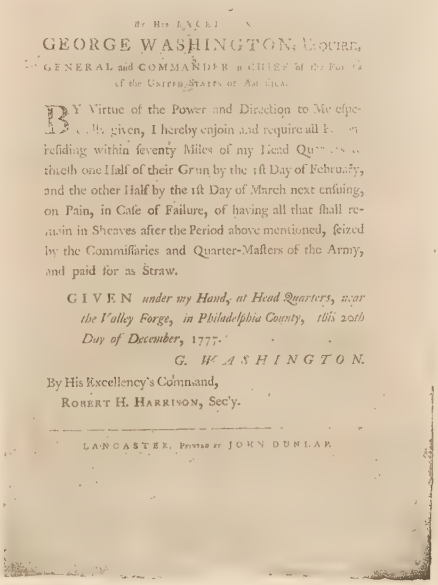
Plan of Encampment at Valley Forge

a city. The window openings were closed with oiled paper and the cracks between the logs were chinked with wetted clay. On the twenty-third of December, the commander-in-chief reported that he had two thousand

eight hundred and ninety-eight men "unfit for duty, because they are barefoot, and otherwise naked," and that, for lack of blankets, many were compelled "to sit up all night by fires, instead of taking comfortable rest in a natural and common way." Officers who were fortunate enough to have coats "had them of every color and make. I saw officers at a grand parade at Valley Forge, mounting guard in a sort of dressing gown made of an old blanket or woolen bed cover." On one occasion a party of aides-de-camp gave a supper to which no one who had a whole pair of breeches was admitted. "This," writes a foreign officer, "was of course understood as *pars pro toto;* but torn clothes were an indispensable requisite." The dinner was well attended. 1777 1778

Food and Frost

On the twenty-second of December, there was not "a single hoof of any kind to slaughter, and not more than twenty-five barrels of flour;" on the sixteenth of February, Washington wrote that part of the army had been "a week without any kind of flesh, and the rest three or four days." "No meat! no meat!" was the common cry of that dreadful winter. Meantime, there was much sickness, and many legs and arms were frozen and cut off. Horses starved to death by hundreds and, "without a murmur," the weakened troops, with tattered clothing and uncovered feet, did "patiently yoke themselves to little carriages of their own making, or load



By His Excellency
GEORGE WASHINGTON, Esquire,
GENERAL and COMMANDER in CHIEF of the Forces
of the United States of America.

BY Virtue of the Power and Direction to Me especially given, I hereby enjoin and require all Persons residing within seventy Miles of my Head Quarters to thresh one Half of their Grain by the 1st Day of February, and the other Half by the 1st Day of March next ensuing, on Pain, in Case of Failure, of having all that shall remain in Sheaves after the Period above mentioned, seized by the Commissaries and Quarter-Masters of the Army, and paid for as Straw.

GIVEN *under my Hand, at Head Quarters, near the Valley Forge, in Philadelphia County, this 20th Day of December,* 1777.

G. WASHINGTON.

By His Excellency's Command,
ROBERT H. HARRISON, Sec'y.

LANCASTER, Printed by JOHN DUNLAP.

Washington's Proclamation, issued at Valley Forge, December 20, 1777

1777 1778 their wood and provisions on their backs." As early as the twenty-third of December, Washington wrote that unless some "great and capital change" was quickly made the army would die of starvation or dissolve by desertion. Many of European nationality did desert, but, almost to a man, the native-born Americans remained. No wonder that the English historian, Trevelyan, says that this "bids fair to be the most celebrated encampment in the world's history." In all that history, there is no record of a heroism more sublime, a self-sacrifice more holy.

The Reason Why

Much of this suffering was unnecessary; the trouble lay in the people and in the government. A large proportion of the well-to-do population was Tory in sentiment; of the rest, some were indifferent and more were unwilling to give their precious blood or their still more precious dollars for the cause of freedom. Having rebelled against taxation without representation, many had acquired a disinclination to pay any taxes at all. Congress, then in session at York, had degenerated into a "rump," attended during the last months of 1777 by sixteen or seventeen members and sometimes by only nine or ten. They attempted to perform administrative work with the result that everything was done ill. By their meddling in the summer of 1777, they forced the resignation of the efficient commissary-general, Colonel Joseph Trumbull, and that department fell into confusion. "Hogsheads of shoes, stockings, and clothing," are said to have been "lying at different places on the roads and in the woods, perishing for want of teams, or of money to pay the teamsters."

The Exchange of General Lee

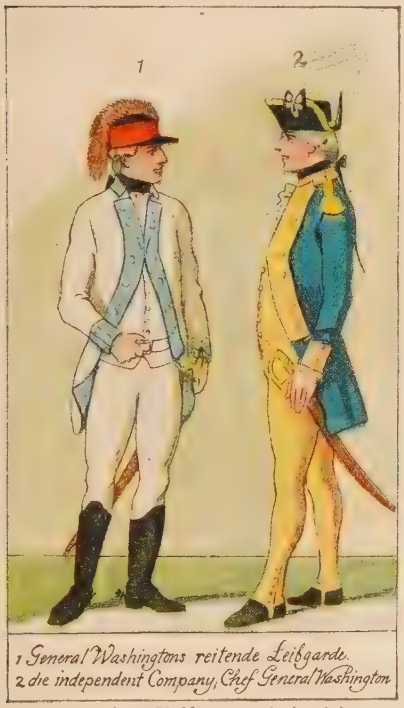
In December, 1776, General Clinton sailed from New York with about three thousand men; on the ninth of that month, the British force landed at Newport. With Clinton was Major-general Prescott who, as if in imitation of the rashness of Major-general Lee at Baskinridge, took quarters at an unprotected farmhouse on the west side of the island, a mile from any troops. On the night of the twentieth of July, 1777, Lieutenant-colonel William Barton of the Rhode Island mili-

Autograph of William Barton

tia, with forty volunteers, embarked in whaleboats, steered between the islands of Patience and Prudence, and landed at Redwood Creek. The guards were surprised, the door of Prescott's room was broken in by a negro who used his head as a battering-ram, and Prescott was taken out of his bed and borne off to Warwick whence he was sent to the American camp at Providence. On the twenty-first of April, 1778, Prescott was exchanged for Lee who had been paroled in March. On the twentieth of May, Lee rejoined the American army at Valley Forge.

1777
1778

House in which Prescott was Captured

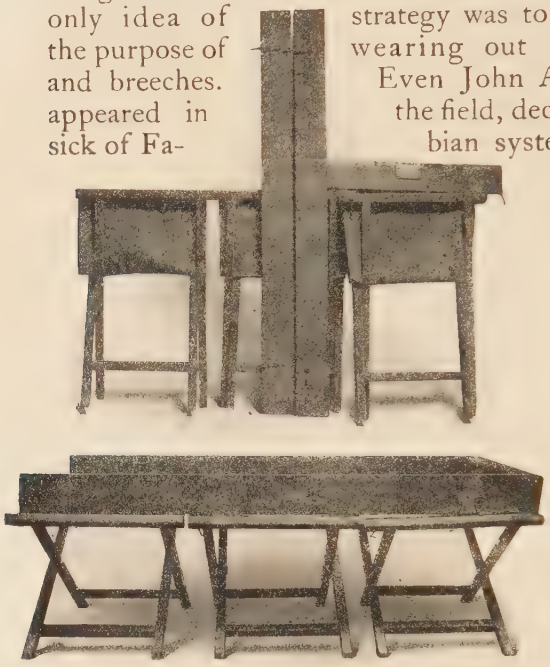


American Uniforms, as depicted in *Historisch-Genealogischer Calender oder Jahrbuch*, Leipzic, 1784 (Facsimile copy by Harry A. Ogden)

Criticism and Detraction

While congress was allowing the army to starve, it was urging the commander-in-chief to drive the well-fed, well-intrenched, and more numerous British army

1777 from Philadelphia. Washington was constantly assailed
1778 because he played the part of Fabius Maximus. Benjamin Rush never tired of criticising him in private, while a delegate from Massachusetts declared that Washington's only idea of strategy was to collect troops for the purpose of wearing out stockings, shoes, and breeches. Even John Adams, who never appeared in the field, declared that he "was sick of Fabian systems" and "weary with so much insipidity." When the Pennsylvania legislature "thought fit to lecture him for returning into cantonments, amidst the luxuries of Valley Forge," Washington made the mild reply "that it is a much easier thing to draw remonstrances in a comfortable room, by a good fireside, than to occupy a cold bleak hill, and sleep under frost and snow without blankets."



Camp Bed used by George Washington at Valley Forge (Folded and Open)

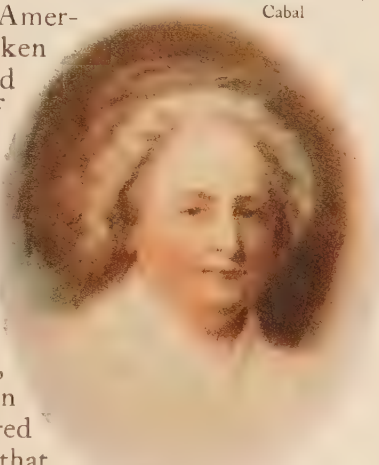
Lady Washington

As usual, Mrs. Washington—"Lady Washington" she was always called in the army—passed the winter in camp with her husband who, at the close of each campaign, sent an aide to escort her to headquarters. A contemporary writer who met her at Philadelphia described her as "about forty or five-and-forty, rather plump, but fresh, and of an agreeable countenance." In this dreadful winter, she soothed the distresses of many, "extending relief wherever it was in her power and, with graceful deportment, presiding in the Chief's humble

dwelling." The wives of other general officers followed the example of Mrs. Washington by joining their husbands in the winter camps. 1777 1778

The Conway Cabal

Thomas Conway was the decorated Irish colonel of a French regiment who had come to America and, as a brigadier-general, had taken part in the battles of Brandywine and Germantown. In the latter part of 1777 and in spite of Washington's disapproval, he was made a major-general and assigned to duty as inspector-general of the army, thus "jumping" several who were his seniors by commission. Embittered by Washington's opposition and endowed with a gift for making trouble, he became one of the leaders of "an intrigue which rumbled and spluttered below the surface of affairs all through that ill-famed winter." Just how definite the conspiracy was is a matter of doubt, but it is certain that a few aspiring and dissatisfied men like Conway, Gates, Mifflin, and the paroled Lee, desired to effect a change in the head of the army in the hope that it would inure to their benefit. Just who was to succeed Washington is also a matter of doubt. Most writers on the subject have assumed that Washington's successor would have been Gates, then fresh from Saratoga and laurel-crowned, but Lafayette always believed that Charles Lee was to have been the man. It is probable that the "conspirators" had not agreed on this point themselves and that there was no definite conspiracy; simply dissatisfaction and a willingness to get rid of Washington.



Martha Washington
(From Stuart's painting in the Museum of Fine Arts, Boston)

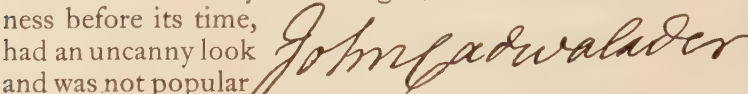
Autograph of Thomas Conway

A Blessing in Disguise

Through the influence of the dissatisfied, congress created a board of war and transferred to it some of the

1777 1778 November, 1777

powers formerly exercised by the commander-in-chief. Gates was made president of the board; Wilkinson, of Gates's staff, was its secretary; and Mifflin was a member. For a time, it looked as though Washington's enemies were about to triumph, but, in December, when wine (or Monongahela whisky) was in and wit was out, Wilkinson revealed part of a letter written by Conway to Gates. The embryonic intrigue, thus thrust from darkness before its time, had an uncanny look and was not popular in the army or among the people. The "conspirators" quarreled among themselves and the plot, if there was a plot, completely failed. Washington's friends were soon in the ascendency in congress. Gates was removed from the board and given charge of the fortifications on the Hudson. Mifflin soon resigned his commission and entered congress. Conway resigned in March, was wounded in a duel with General Cadwalader in July, and soon returned to France. For many years, one of the most damaging accusations that could be made against a public man was a charge that he had been connected with "Conway's Cabal."



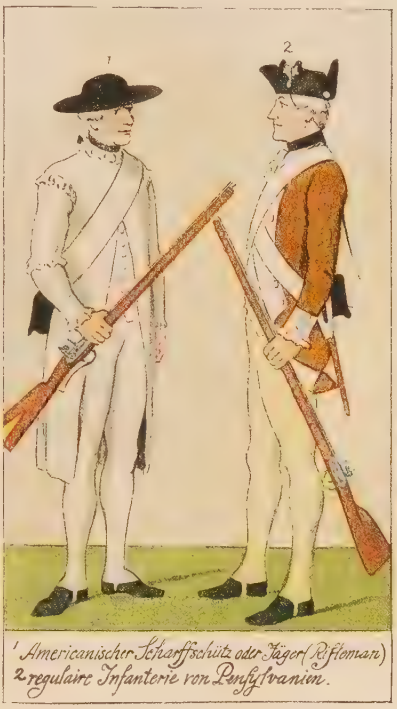
Autograph of General John Cadwalader

Baron Steuben, by Ralph Earle
(From original painting owned by Mrs. F. B. Austin of New York)

Steuben

In the dark days of that winter, there came to camp Baron Steuben, a veteran who had won honors in the

Prussian service and had been an aide on the staff of the great Frederick. He sailed from Marseilles in September and reached Portsmouth, New Hampshire, on the first of December, 1777. Thence he wrote to congress that "the honor of serving a nation, engaged in the noble enterprise of defending its rights and liberties, was the motive that brought me to this continent." After reaching York where congress was in session, he proposed to enter the service as a volunteer with the understanding that congress would defray his necessary expenses. If the cause failed or his service proved unsatisfactory, he would expect nothing further; otherwise, he was to be refunded the income he had given up (about six hundred guineas per year) and properly remunerated. The offer was accepted and Steuben set out for Valley Forge where he arrived on the twenty-third of February. 1777 1778



Uniforms of American Riflemen and Pennsylvania Infantry, as depicted in *Historisch-Genealogischer Calender oder Jahrbuch*, Leipzic, 1784
(Facsimile copy by Harry A. Ogden)

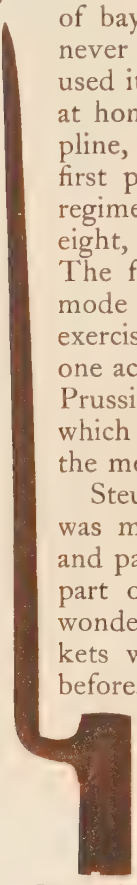
What Steuben Found

Steuben was astonished at the suffering of the troops and fully as much at their lack of discipline and proper organization. "I have seen," he wrote long afterward, "a regiment consisting of thirty men, and a company of one corporal. . . . We had more commissaries and quartermasters at that time than all the armies of Europe together." Five to eight thousand muskets were lost each year by the discharged

1778 soldiers carrying them home as souvenirs. "The loss of bayonets was still greater. The American soldier, never having used this arm, had no faith in it, and never used it but to roast his beefsteak, and indeed often left it at home. . . . With regard to their military discipline, I may safely say no such thing existed. In the first place there was no regular formation. A so-called regiment was formed of three platoons, another of five, eight, nine, and the Canadian regiment of twenty-one. The formation of the regiments was as varied as their mode of drill, which only consisted of the manual exercise. Each colonel had a system of his own, the one according to the English, the other according to the Prussian or French style. There was only one thing on which they were uniform. . . . They all adopted the mode of marching in files used by the Indians."

What Steuben Did

Steuben at once set to work as inspector; in May, he was made inspector-general of the army with the rank and pay of a major-general. In spite of jealousy on the part of some of the higher officers, he accomplished wonders. In the next year, not more than twenty muskets were lost instead of the thousands lost the year before. Most important of all, he turned drill sergeant and introduced a discipline that the troops had never known before. Rising at three in the morning, he would drink his coffee, smoke his pipe, and then gallop to the parade for a hard day's work. He even overcame the unwillingness of the higher regimental officers to drill their men and, when he first saw a colonel instructing a recruit, exclaimed: "I thank God for that!" At first, he was handicapped by his ignorance of English, but a Captain Walker who knew French became his interpreter. It is said that after he had learned a little English, he would occasionally be heard to cry out: "Viens, mon ami Walker, viens, mon bon ami. Sacre-bleu! Gott-vertamn de gaucherie of dese badauds. Je ne puis plus; I can curse dem no more!" But his earnestness and good sense triumphed over all difficulties. The good effects of his work were seen in the next campaign, notably

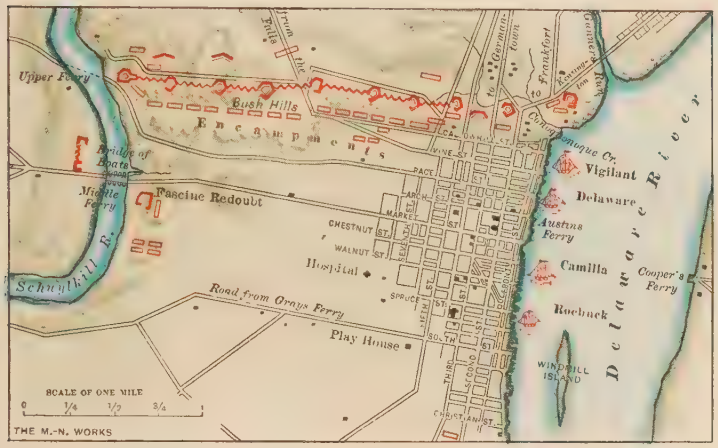


Bayonet of Revolutionary Time

at Monmouth where these lately awkward troops maneuvered with coolness and precision and rallied like veterans. 1777 1778

When Howe's army entered Philadelphia, they found many unoccupied dwellings and stores. The British troops were well housed, comfortably clothed, and well fed. The activities of war were largely suspended and the soldiery "killed time" at theatre, dance-house, cock-

The British Occupation of Philadelphia



British Defenses at Philadelphia

pit, or gambling-den. Clubs met at the public houses and weekly balls were held at the City Tavern. The officers were quartered on the people. Many of these were gentlemen of education and refinement who "treated their civilian hosts with consideration and friendliness." Others imitated the conduct of the genial but immoral General Howe and shocked the people by their doings.

The winter was the gayest that the Quaker capital had ever known and the season closed with a gorgeous spectacle, the occasion for which was the departure of General Howe for England. Finding that the ministry would not send out reinforcements, Howe had asked to be recalled. Lord George Germain had taken him at his word and, on the eighth of May, 1778, Sir Henry Clinton arrived as Howe's successor. The officers and men regretted Howe's departure and preparations were made

Clinton Succeeds Howe

November, 1777

1778 for a great demonstration in his honor. Triumphal arches and lists and barriers were erected; scenery and gorgeous costumes were provided. The ceremonies

May 18 began with a grand regatta on the river. Then followed

"A Picturesque View of the State of Great Britain for 1778"

EXPLANATION

I. The Commerce of Great Britain, represented in the figure of a Milch Cow.
II. The American Congress sawing of her horns which are her natural strength and defence: the one being already gone, the other just a going.
III. The jolly, plump Dutchman milking the poor tame Cow with great glee.
IV. & V. The French and Spaniard, each catching at their respective shares of the produce, and running away with bowls brimming full, laughing to one another at their success.
VI. The good ship Eagle laid up, and moved at some distance from Philadelphia, without sails or guns, and shewing nothing but naked portholes; all the rest of the fleet invisible, nobody knows where.
VII. The two Brothers napping it; one against the other, in the City of Philadelphia, out of sight of fleet and Army.
VIII. The British Lion lying on the ground fast a sleep, so that a pug-dog tramples upon him, as on a lifeless log: he seems to see nothing, hear nothing, and feel nothing.
IX. A free Englishman in mourning, standing by him, wringing his hands, casting up his Eyes in despondency and despair, but unable to rouse the Lion to correct all these invaders of his Royal Prerogative and his subjects' property.

a mock tournament in which six knights of the "Blended Rose" and six of the "Burning Mountain" jousted before an American and an English "Queen of Beauty." The day ended with fireworks, a grand ball, and a midnight supper. This "Mischianza," as it was called, has for us an added interest by reason of the fact that two of the participants were Captain André and Peggy Shippen, the latter soon to be the wife of Benedict Arnold. A few days after the grand fête in his honor, and close on the heels of his failure to capture Lafayette and his

detachment at Barren Hill, on the Schuylkill about midway between Valley Forge and Philadelphia, Howe turned over his command to Clinton and sailed for England. 1778

John André

Made "from a drawing by Sir Joshua Reynolds in possession of Thomas Addis Emmet, M. D."

May 24

The Grand Exodus

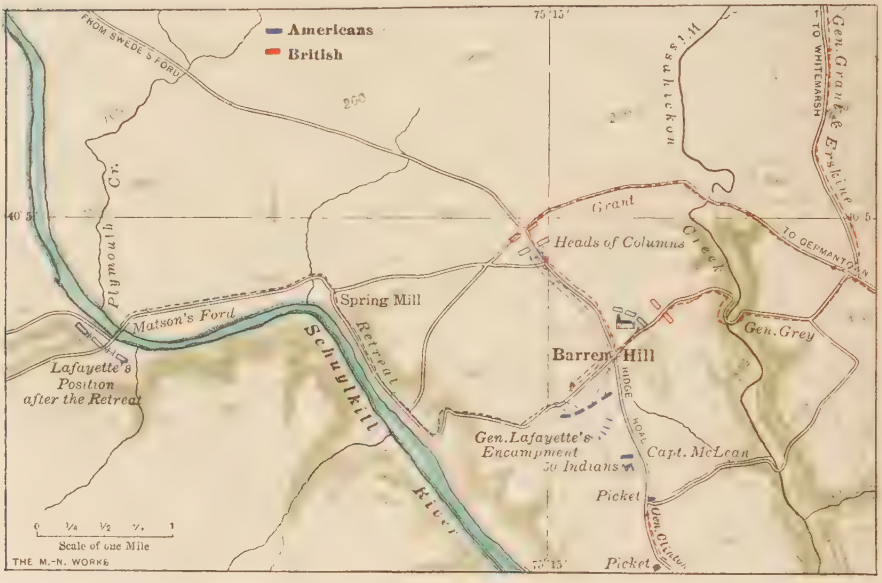
As a powerful French fleet was crossing the Atlantic, there was danger that Philadelphia might be blockaded and it soon became known that the city was to be evacuated. The heavy ordnance and part of the baggage of the British army were packed on board the British fleet in the river. Three thousand Tories who had gone too far safely to trust themselves to the mercies of their countrymen embarked with what goods they could save. On the eighteenth of June, the British fleet dropped down the river and the British army crossed into New Jersey. "They did not go away; they vanished."

Peggy Shippen

The Americans in Pursuit

Washington had foreseen the movement and had sent Maxwell with the New Jersey troops to coöperate with Dickinson and the militia in destroying bridges and delaying the advance of the enemy. The news of the evacuation of the city reached Valley Forge

1778 the same day. Everything was in readiness and the pursuit was at once begun. Arnold, whose wound would not allow him to take the field, was sent to occupy Philadelphia; on the twenty-second, Washington crossed



Lafayette at Barren Hill

the Delaware at Coryells Ferry (now Lambertville) about forty miles above the city. Clinton had about fourteen thousand effective men and a train twelve miles long. This train carried about everything that could be piled on wagons — luggage and plunder, servants, women, and "every kind of other useless stuff." Rains had made the roads wretched, many of the bridges had been destroyed, the heat was oppressive, the advance of the British army was slow, and the Americans soon came within striking distance. On the twenty-fourth, Washington held a council of war at Hopewell. General Lee opposed any attack, declaring that it would be better to build a bridge of gold for the retreating enemy. He carried a majority of the council with him, but Lafayette, Wayne, Greene, and Steuben advocated an aggressive course and Washington

overruled the council. Brigadier Scott was sent with fifteen hundred men to reinforce Maxwell and Morgan who were hanging on the British left flank. Washington advanced to Kingston with the intention of attacking Clinton if he should try to pass the Raritan, but the British general turned to the eastward. Wayne was sent with a thousand men to join the advance the command of which was held by Lafayette, it having been declined by Lee. But Lee soon changed his mind and pleaded with both Washington and Lafayette to be given the command. In an unlucky hour, Washington consented and sent Lee forward with two more brigades, thus bringing the total strength of the advance up to about five thousand men. 1778 June 26

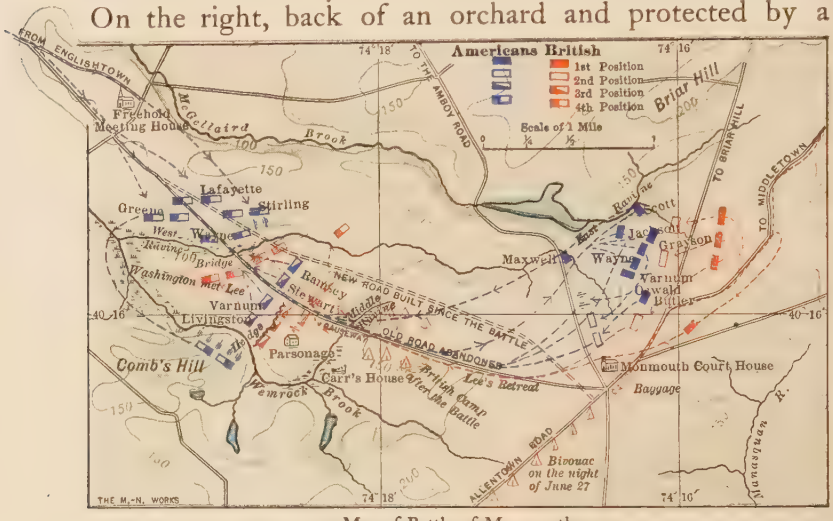
The Strange Conduct of General Lee

On the night of the twenty-seventh, Clinton's army lay encamped not far from Monmouth Court House (Freehold). General Lee's force was about five miles to the northwest, not far from Englishtown, and Washington with the main American army was within supporting distance. At sunrise of Sunday, the twenty-eighth, Knyphausen, in charge of the British baggage train, took up his march toward Middletown and, at eight o'clock, Clinton followed. Lee had orders to attack the British left wing; Washington was to come up with the main army and support him. Although Lee dallied, he finally came in sight of the enemy. By Clinton's order, Cornwallis quickly formed a line of battle and advanced to the attack. What followed is difficult to understand or tell. Through treachery, obstinacy, or cowardice, Lee issued some very astonishing and confused orders; the American troops began to fall back; after a slight engagement, their retreat became disorderly.

Washington Hastens to the Front

Washington was hastening to support the attack when he met fugitives who said that Lee's detachment was retreating. Filled with painful suspicions, Washington spurred his horse toward the front. The straggling current grew momentarily; colonels and generals with broken commands were soon met; all knew that they were retreating but no one could tell why. Crossing what was

1778 called the west ravine, Washington posted, on the left, the regiments of Ramsey and Stewart with two cannons to check the enemy until a line of battle could be formed. On the right, back of an orchard and protected by a



Map of Battle of Monmouth

hedge, he posted the commands of Varnum, Wayne, and Livingston and there Knox and Oswald placed four guns. Lafayette was ordered to draw up a second line. As the other generals arrived, they were ordered to the rear to reform their lines. "It was such an hour as tests great captains and proves soldiers."

The Battle of Monmouth

Just then General Lee appeared with the last retreating column. Accounts differ as to the interview that followed, but there is no doubt that Washington was very angry and peremptorily demanded the cause of the retreat; there is a story that he called Lee "a damned poltroon." Washington brought up the main army and Lee soon withdrew from the field. Now appeared the good effects of Steuben's work. The new lines were hastily formed with Greene on the right and Stirling on the left; after a warm conflict, the British were driven back; darkness put an end to the struggle. In the day, the temperature had risen to ninety-six degrees in the shade and many on both sides fell dead without a wound.

Clinton, having realized every possible benefit from his return to the offensive, left his dead unburied, quietly withdrew at midnight, and reached New York without further molestation. After resting his troops for a few days at Brunswick, Washington followed to the Hudson; on the twenty-second of July, he reëstablished his headquarters at White Plains. Washington reported his loss at three hundred and sixty-two, but some of the missing had been overcome by the fatigue and heat and afterwards rejoined the army. Among those thus overcome was an artillery sergeant, John Hays, whose German wife, Mary, had shared with him the privations and dangers of march, bivouac, and battle. When the husband fell, the wife took his place at the gun, and, after the conflict, assisted in carrying water to the wounded. This latter service won for her the *nom de guerre* of "Moll Pitcher," and thus she is known in history. The British loss was more than four hundred, in addition to many desertions on the march and prostrations by the heat.

1778

Table on which Moll Pitcher told Fortunes during the American Revolution

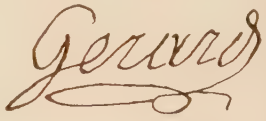
Moll Pitcher
(Bronze Tablet on Monmouth Battle Monument)

The battle of Monmouth, the last general engagement fought in the North, put an end to the military career of Charles Lee. Lee's letter to Washington demanding an explanation of the pungent language addressed to him on the battle-field brought on a court martial that found Lee guilty "of disobedience of orders in not attacking the enemy on the twenty-eighth of June, agreeable to repeated instructions, of misbehavior before the enemy, by making an unnecessary, and in some

The End of General Lee

1778 few instances a disorderly retreat; and of disrespect to the Commander-in-Chief." He was suspended from command for a year; in a duel with Colonel John Laurens, one of Washington's aides, he was wounded in the arm. Before the expiration of his term of suspension he addressed an impudent letter to congress and was dismissed from the army. He retired in disgrace to his estate in the Shenandoah valley with the innuendo that he had discovered that it was necessary to learn to hoe tobacco in order to become a successful general in America. He died in Philadelphia in 1782 and was buried in the cemetery of Christ Church.

Count d'Estaing



Autograph of Gerard

The French Fleet

Nine days after the battle of Monmouth, the count d'Estaing, with twelve ships of the line and six frigates, having on board four thousand troops, M. Gerard,

View of Newport in 1730

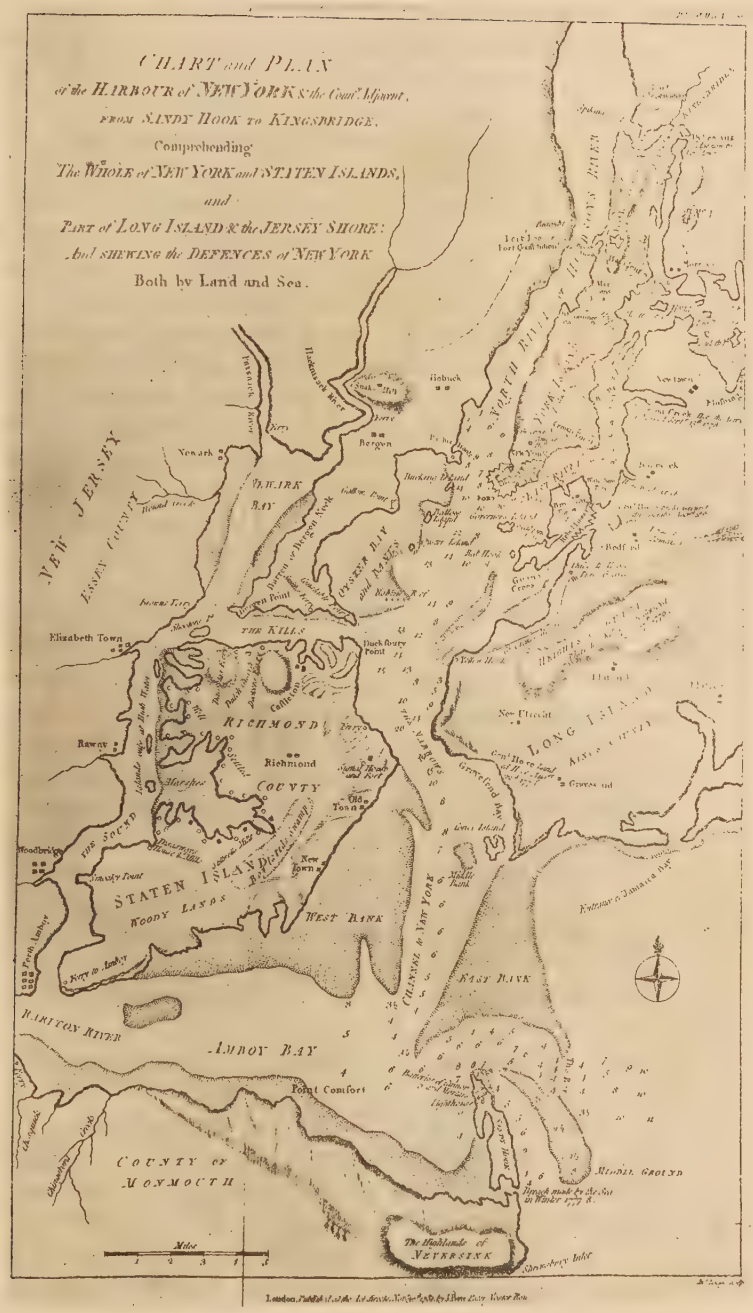
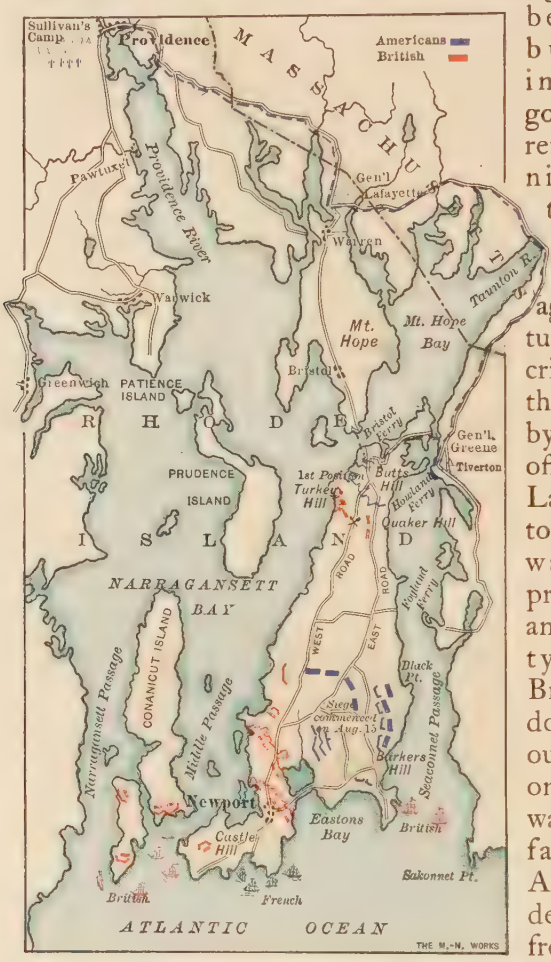
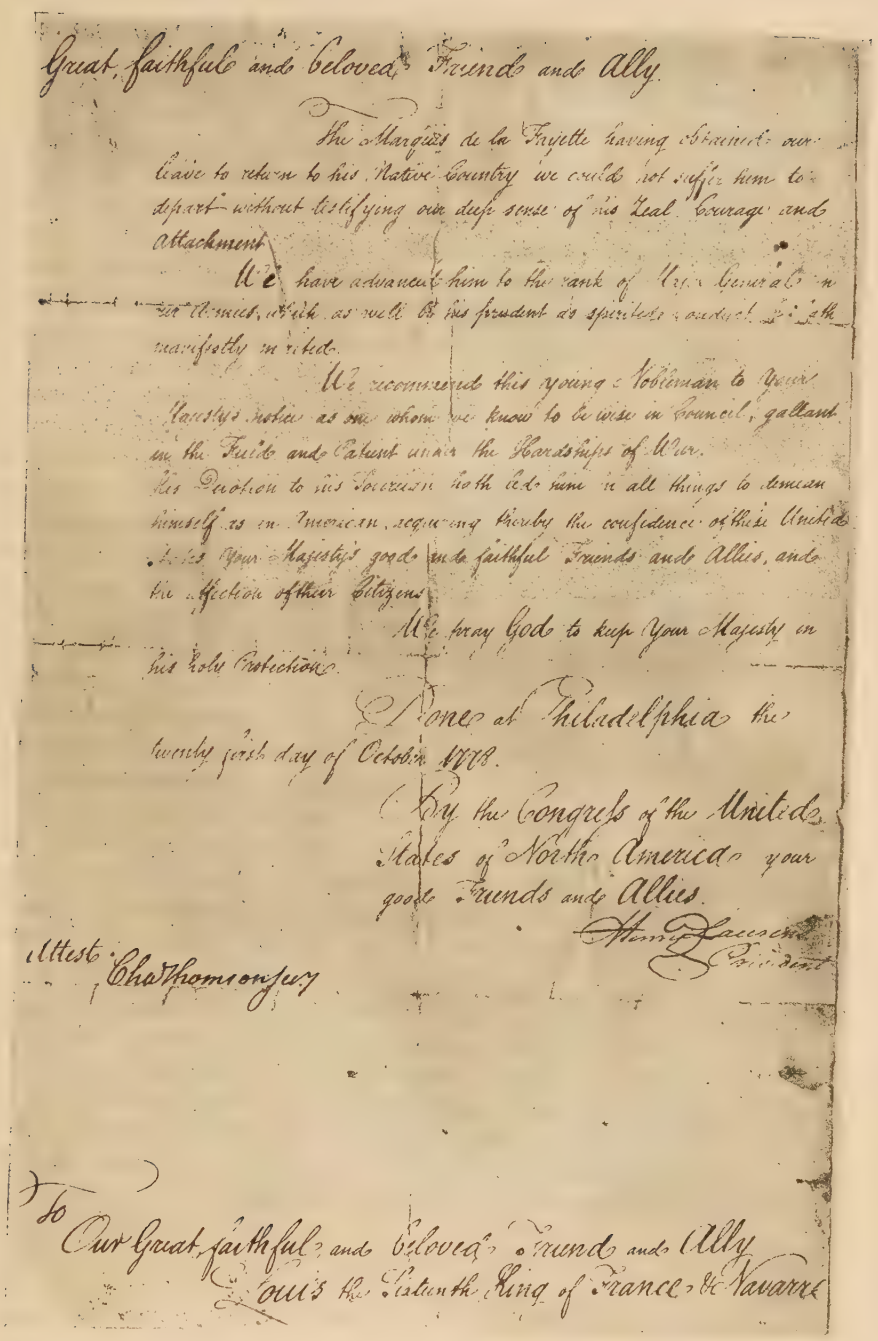


CHART and PLAN
of the HARBOUR of NEW YORK & the Country adjacent,
FROM SANDY HOOK to KINGSBRIDGE,
Comprehending
The WHOLE of NEW YORK and STATEN ISLANDS,
and
PART of LONG ISLAND & the JERSEY SHORE:
And SHEWING the DEFENCES of NEW YORK
Both by Land and Sea.
NEW JERSEY
ESSEX COUNTY
NEWARK BAY
Newark
Bergen
Hoboken
Elizabeth Town
THE KILLS
Black Quarry Point
RICHMOND
COUNTY
Richmond
Town
Rarenr
Harbour
the SOUND
Woodbridge
STATEN ISLAND
Pleasant Point
WOODY LANDS
WEST BANK
New Town
Fort to Amboy
RARITON RIVER
AMBOY BAY
Point Comfort
COUNTY OF MONMOUTH
Miles
NORTH RIVER
HUDSON'S RIVER
Bloomingdale
New Harlem
Bloomingdale Road
Bull Head
Corlaers Hook
Governors Island
Red Hook
Gowanus
Gowanus Creek
Wallabout
Brooklyn
Flatbush
Flatlands
New Utrecht
LONG ISLAND
Kings County
Coney Island
Gravesend Bay
Gravesend
Fort Lafayette
Fort Hamilton
Narrows
Utrecht
Flatbush Road
Jamaica Bay
Fort Tompkins
Fort Diamond
Fort Cornwallis
Fort Richmond
Fort Wadsworth
Fort Tompkins
Fort Hancock
Fort Monmouth
Fort Lee
Fort Washington
Fort George
Fort Independence
Fort Knyphausen
Fort Putnam
Fort Clinton
Fort Montgomerie
Fort Constitution
Fort Lafayette
Fort Gates
Fort Arnold

1778 five days, kept up a heavy cannonade. The French fleet returned on the twentieth to the great joy of the besieging army, but d'Estaing insisted upon going to Boston to refit and sailed at nightfall of the twenty-first, quickly followed by a protest against his departure at such a crisis, a protest that was drawn up by the American officers and that Lafayette refused to sign. The siege was, however, pressed with vigor and, by the twenty-seventh, the British had abandoned all their outworks except one. But there was great dissatisfaction in the American camp, desertions became frequent, the militia began to swarm off home, and half of the New Hampshire volunteers had gone when, on the twenty-eighth, a council determined to fall back to the fortified hills at the northern end of the island and there to await the return of the French fleet. The retreat began in the evening and, before morning, the army encamped on Butts Hill.



Map of Siege of Newport



Great faithful and beloved Friends and Ally

The Marquis de la Fayette having obtained our leave to return to his Native Country we could not suffer him to depart without testifying our deep sense of his Zeal Courage and attachment

We have advanced him to the rank of Major General in our Armies, with as well as his freedom as specially and [illegible] manifestly invited.

We recommend this young Nobleman to Your Majesty's notice as one whom we know to be wise in Council, gallant in the Field and Patient under the Hardships of War.
His Devotion to his Sovereign both led him in all things to demean himself as an American, acquiring thereby the confidence of these United States Your Majesty's good and faithful Friends and Allies, and the affection of their Citizens.

We pray God to keep Your Majesty in his holy Protection.

Done at Philadelphia the twenty forth day of October 1778.

By the Congress of the United States of North America your good Friends and Allies.

Henry Laurens
President

Attest Chas Thomson Secy

To Our Great faithful and beloved Friend and Ally
Louis the Sixteenth King of France & Navarre

LETTER OF RECOMMENDATION OF LAFAYETTE FROM THE CONGRESS OF THE UNITED STATES TO THE KING OF FRANCE
(From original document at the New York Historical Society)

Early the next day, two British columns marched along the two roads that led northward and began an attack. A few British war-ships came up the bay and opened fire upon the American right. For nearly seven hours the battle raged with fearful carnage. In repelling the furious and repeated onsets of the Hessians, "the newly raised black regiment under Col. [Christopher] Greene distinguished itself by deeds of desperate valor." At last, the British retired to their fortified camp on Quaker Hill, where Sullivan desired to attack them. But the American troops had been without rest or food for thirty-six hours, the assault was abandoned, and both armies went into camp. On the morning of the thirtieth, Sullivan received word from Washington of the coming of Lord Howe's fleet with Sir Henry Clinton and five thousand troops, and heard from Boston that d'Estaing could not return as soon as had been expected, and a council of officers resolved on withdrawing the American army from the island. A cannonade kept up all day on both sides, the tents were struck at dark, and, by midnight, the main army had crossed the ferry to Tiverton. On the morning of the thirty-first, the British fleet with Clinton's army arrived at Newport. 1778 August 29

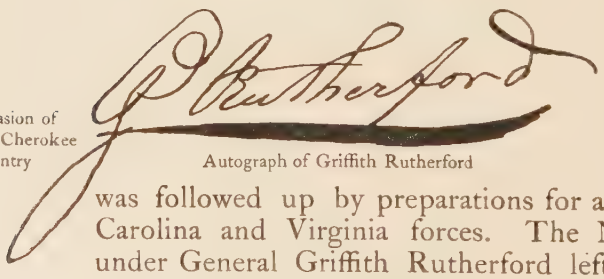
The failure of the siege of Newport, of which much had been expected, aroused great indignation against the French and, for a time, threatened the stability of the alliance. Although the failure was due as much to his slowness as to any fault of the French, Sullivan issued an intemperate general order reflecting on his allies. Congress passed resolutions approving d'Estaing's course, and Washington did what he could to allay the angry feelings of both sides. The people, however, refused to look at the matter temperately and, when d'Estaing issued a proclamation to the Canadians calling upon them to return to their old allegiance, criticism broke out anew. In November, the French fleet sailed for the West Indies. Bad Blood

CHAPTER VIII

BORDER WARFARE AND THE CONQUEST OF THE NORTHWEST

On the Southern Frontier

THE Cherokees had not forgotten and, incited by British agents, again took up the hatchet. Early in July, 1776, their war-parties rushed down from the upland fastnesses, and the back-country settlements from southwestern Virginia to northwestern Georgia were wrapped in the horrors of barbarian warfare. Many of the settlers were slain and others took refuge in the stockade forts from which they beat back the foe. The Watauga settlers were the most exposed, but they received timely warning, retired into their stockades, and defended themselves successfully. In South Carolina, a force of Indians and Tories under a British agent named Cameron ravaged the border and ambushed a force under Colonel Andrew Williamson on Oconoree Creek, but was driven off. By the middle of August, Williamson had destroyed the Cherokee lower towns; owing to lack of provisions, he was unable to march against the upper towns.



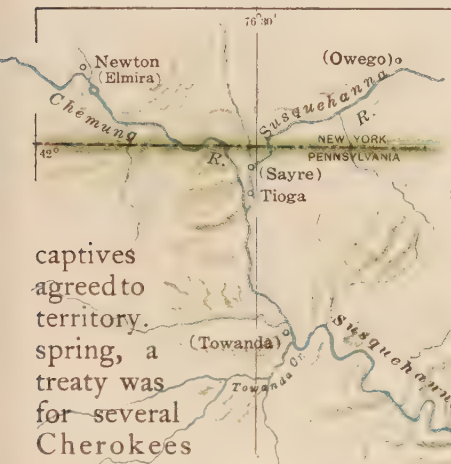
Autograph of Griffith Rutherford

Invasion of the Cherokee Country

This success was followed up by preparations for a joint invasion by Carolina and Virginia forces. The North Carolinians under General Griffith Rutherford left the head of the Catawba about the first of September, crossed the Blue

Ridge at Swananoa Gap, forded the French Broad, and destroyed the middle towns. In the same month, the South Carolinians under Williamson pushed up War Woman's Creek, passed through Rabun Gap, and, with the aid of Rutherford's command, succeeded in laying waste the towns along the Hiawassee. The Virginia army, including men from the Watauga region and some from North Carolina, rendezvoused at Great Island in the Holston and, led by Colonel William Christian, reached the overhill towns early in November. For two weeks, cabins were burned and crops destroyed. The Cherokees gave up the horses and captives they had taken and agreed to cede some of their territory. In the ensuing spring, a more formal treaty was made and, for several years, the Cherokees did not again make war.

1776
1777



The surrender of Burgoyne hastened the French alliance, but it did not bring safety to the northern frontiers. The British evacuated Ticonderoga and Crown Point, but their agents continued to stir up the Iroquois to massacre and pillage. Numerous petty attacks were made upon settlements in New York and, in June, 1778, Colonel John Butler gathered a force of Tories and Iroquois, chiefly Senecas, under a chief known as Old King, for an attack upon the Connecticut settlers in the valley of Wyoming.

The Wyoming Massacre

Map of Wyoming

1778 In canoes they floated down the Chemung and the Susquehanna. Butler made his headquarters at a deserted stockade known as Wintermoot's Fort and sent out marauding parties to plunder and lay waste the country. Many of the settlers gathered in a stockade known as Forty Fort, just above the present town of Wilkesbarre, whence Colonel Zebulon Butler with about three hundred volunteers sallied out hoping to surprise Fort Wintermoot; they found an outnumbering enemy drawn up on ground of their own choosing. The ensuing conflict lasted about an hour, and the British Butler reported five prisoners and "two hundred and twenty-seven" scalps taken. Forty Fort surrendered and the upper Wyoming valley was transformed into a scene of desolation. The Indians revelled in bloody massacre and dreadful orgies, and the Tories were not less inhuman.

Forty Fort

July 3

Wyoming Massacre Monument

Cherry Valley

In November, the enemy, under the leadership of Walter Butler, Old King, and Joseph Brant, made an attack upon the little village of Cherry Valley in central New York. The village was taken, sixteen soldiers were killed, and about thirty-two persons were massacred. The dwellings and barns were burned, but the fort was suc-

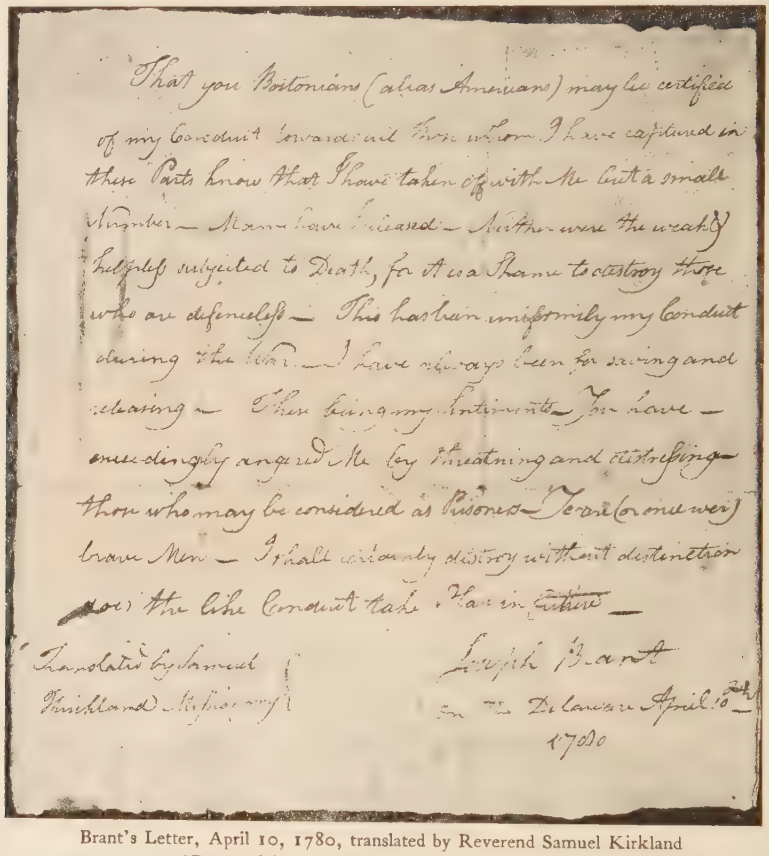
November 11

MAP OF INDIAN OPERATIONS IN THE EAST

1779 cessfully defended. There were other Indian outrages that year, but none of them made an impression as deep as did the massacres at Wyoming and Cherry Valley.

The Sullivan Expedition

These atrocities provoked retaliation. In August, 1779, three expeditions entered the Iroquois country.



That you Bostonians (alias Americans) may be certified of my Conduct towards all those whom I have captivated in these Parts know that I have taken off with me but a small Number — Many have released — Neither were the weak & helpless subjected to Death, for it was Shame to destroy those who are defenceless — This has been uniformly my Conduct during the War — I have always been for saving and releasing — Then being my Sentiments You have — exceedingly angered Me by threatning and distressing those who may be considered as Prisoners — You (or one very) brave Men — I shall accordingly destroy without distinction (or) the like Conduct take Place in future —

Joseph Brant

Translated by Samuel Kirkland — Register

on the Delaware April 10th 1780

Brant's Letter, April 10, 1780, translated by Reverend Samuel Kirkland
(From original document loaned by S. L. Frey)

Colonel Daniel Brodhead with about six hundred men ascended the Allegheny River from Pittsburg and destroyed several Indian towns about the head-waters of that stream. Brigadier-general James Clinton with from twelve to sixteen hundred men moved up the

Mohawk and thence across to the head-waters of the Susquehanna and then down that stream. The third detachment, under Major-general Sullivan who had general command of the campaign, consisted of about twenty-five hundred men and advanced up the Susquehanna. Sullivan's and Clinton's forces met at Tioga, and, a week later, defeated a force of from eight to fifteen hundred Indians and Tories at Newton (Elmira). Sullivan laid waste the country of the Senecas and Cayugas, burned more than forty villages, destroyed the standing corn, and cut down all the fruit-trees, a vengeance more terrible than any that had fallen on them since the days of Frontenac. By October, Sullivan's army was back in New Jersey after a march of more than seven hundred miles. The following winter was one of the severest on record and the homeless Indians suffered much from cold, famine, and pestilence.

1779

August 22

General John Sullivan
(From Tenney's painting in the State House, Concord, New Hampshire)

Heavy as was the blow thus dealt, it did not bring safety to the border. Brant still held the stronghold at Niagara and, in the following winter, he fell upon and punished the Oneidas who had remained at peace with the Americans; for two years barbarian bands continued to ravage the frontier, particularly in the valleys of the Mohawk, the Scoharie, the upper Connecticut, and about Lake Champlain. Tryon County was almost depopulated.

A Reign of Terror

1776
1777
The Hair Buyer

Thanks to the effect of Dunmore's war, Kentucky remained for two years free from an Indian uprising, but British agents were encouraging the Indians to engage in hostilities and serious warfare was at hand. The northwestern tribes held great councils at Detroit, some of which were summoned by Henry Hamilton, the British lieutenant-governor of the Northwest, a bold, ambitious, unscrupulous man who became greatly hated on the border as the "hair buyer." Whether or not he personally purchased scalps is in dispute, but he stirred up the Indians to make war upon the settlers with the result that scalps were taken and every form of atrocity that red fiends could devise was perpetrated.

In the Ohio Valley

In 1774, Major Angus MacDonald had built, on the site of Wheeling, Fort Fincastle, so named in honor of the earl of Dunmore, the last royal governor of Virginia, and later rechristened Fort Henry in honor of the first state governor of that commonwealth. Throughout the winter of 1776–77, the Indians prepared for war and before the snow was off the ground their parties crossed the Ohio and fell on the frontiers from the Monongahela to the Kentucky. Many settlers were killed or captured, some of the smaller stockades were taken and destroyed, but an attack upon Fort Henry by two or three hundred Indians and a party of Detroit rangers carrying the British colors was repulsed with loss.

George Rogers Clark

June, 1776

Among those who assisted in defending Harrodsburg that summer was George Rogers Clark, the young Virginian who, as told in the preceding volume, was sent from Kentucky as a delegate to the Virginia convention. At Williamsburg, Clark and his associate found that the legislature had adjourned. They therefore presented the petition of the West Fincastle committee to Governor Henry and his council. Mr. Roosevelt says that the "petition was couched in English that was, at times, a little crooked but the idea at any rate was perfectly straight and could not be misunderstood." With admirable perspicuity, it set forth what the petitioners desired, what they were willing to do, and how "impolitical it

would be to suffer such a Respectable Body of Prime Riflemen to remain in a state of neutrality" during the Revolutionary war. The Kentucky delegates secured five hundred pounds of powder for the frontier settlers and the organization of Kentucky as a Virginia county. By no means satisfied with these exploits, Clark resolved to secure Kentucky's safety by conquering the region northwest of the Ohio. In April, 1777, he sent two young hunters to the Illinois country to spy out the land. They brought back a report that Clark deemed favorable and he governed himself accordingly. 1776 1778 June 22

Without publishing his plan, Clark laid his project before Governor Patrick Henry and asked for aid. It was important that Clark's real purpose should be kept secret and, although an act was passed by the legislature authorizing "the governor, with the advice of the privy council," to organize an expedition "to march against and attack any of our western enemies," but few knew the real intent of the measure. The council gave its consent, and Henry authorized Clark, as lieutenant-colonel, to raise seven companies of fifty men each, advanced him twelve hundred pounds, probably in the depreciated Virginia currency, gave him an order on the commanding officer at Fort Pitt for ammunition, supplies, and boats, and two sets of instructions, one for himself and the other for the public. Of those who were in the secret, were Thomas Jefferson, George Mason, and George Wythe. With characteristic far-vision, Jefferson wrote that the proposed expedition to the Wabash would, "if successful, have an important bearing ultimately in establishing our western boundary." Thus, Clark, a young man of twenty-six, was about to take into his hands the fate of a region larger and richer in natural resources than any European kingdom except Russia. Lieutenant-colonel Clark January 2, 1778

On the twelfth of May, 1778, the young commander left Red Stone on the Monongahela with a force of about one hundred and fifty men. With him were a number of settlers who were taking advantage of the protection his force afforded to reach Kentucky. The expe- At Louisville

MAP OF INDIAN OPERATIONS IN THE WEST

Compiled by Lieutenant Joseph A. Baer, U. S. Army, Military Academy, West Point, N. Y., and David Maydole Matteson, A. M.,

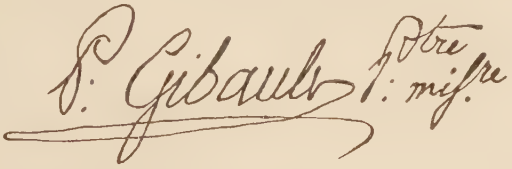
dition stopped for stores at Fort Pitt and Fort Henry (Wheeling), whence the flotilla of clumsy flatboats drifted down the Ohio. About the twenty-seventh, they reached the Falls of the Ohio. Here Clark established a post on Corn Island opposite the present Louisville and was joined by a contingent of Kentuckians, including John Bowman and the celebrated Simon Kenton. 1778

At Kaskaskia

On the twenty-fourth of June, the little expedition, consisting of about one hundred and seventy-five men, put out from shore and shot the falls in the midst of an almost total eclipse of the sun. At the mouth of the Tennessee, they were joined by a party of hunters who had come from Kaskaskia and agreed to guide the expedition thither. Landing near the deserted site of Fort Massac, they struck northwestward across the tangled forests and rich prairies of southern Illinois. On the evening of the fourth of July, they reached the Kaskaskia River, three miles from the town. Rocheblave, the commandant, and the inhabitants were totally unaware of their approach and, without any bloodshed, Clark surprised and mastered both town and fort.

Sagacity and Diplomacy

Clark now played his part with consummate skill. He reduced the creoles to a state of terror by ordering them to keep to their houses on pain of death and then disarming them; when a deputation visited him to ask their lives, he explained that, though the Americans came as conquerors, they had no desire to enslave the conquered. If they chose, they might become citizens of the republic and be welcomed to all its privileges. He announced that France was the ally of the United States. When Father Pierre Gibault, the village priest, asked if he might once more perform services in his church, Clark told him that by the laws of the state his religion had as great privileges as any other. From the depths of



Autograph of the Missionary Pierre Gibault

1778 despondency the people ascended to the heights of joy. A body of Kaskaskia volunteers accompanied a detachment under Captain Bowman to Cahokia where in like manner the people were won over. About the same time, Father Gibault went to Vincennes and persuaded the people there to take the same oath. Captain Leonard Helm was sent thither to take command of the fort. About the first of August, Father Gibault returned to Kaskaskia. Every British post in the Illinois country had passed without a battle or the loss of a life into the possession of the Americans. The possibility of such an outcome of a month's campaign involves the facts that the royal proclamation of 1763 had left the French residents of that region outside the pale of any civil authority and that even the Quebec act had not relieved them of their subjection to the military administration of a traditionally hated race.

A Resourceful Commander

As the enlistments of Clark's men expired, it was with great difficulty that he persuaded about a hundred to stay with him eight months longer. He sent the others home and induced many young Frenchmen to enlist. His dealings with the Indians were more difficult. Most of these had been hostile; now they were confused. From far and near they gathered by hundreds at Cahokia to confer with Clark and to decide upon their course. By a pretense of indifference and of power that he did not possess, he led them to sue for peace. He says that he gave them "harsh language to supply the want of men, well knowing that it was a mistaken notion in many that soft speeches was best for Indians."

Hamilton's Counterstroke

When at Detroit, Governor Hamilton heard of the invasion of Illinois and the capture of Vincennes, he at once gathered a force to expel the invaders and, on the seventh of October, left Detroit with about one hundred and seventy-seven white men and sixty Indians. With this force he went down the Detroit River, crossed the western end of Lake Erie, ascended the Maumee, made a nine miles' portage to one of the sources of the Wabash,

December 17 and, after great labor and hardship, arrived at Vincennes.

On the way he had been joined by more than two hundred Indians, so that he now had about five hundred men. Captain Helm's scouts had been captured by the British, his French militia promptly deserted, and, being left with only one or two Americans, he was compelled to surrender without resistance. 1778 1779

Clark's Prompt Action

The season was so late that Hamilton went into winter quarters. He had no fear of the Americans for he knew that Clark's army numbered only one hundred and ten. But he did not know the man with whom he had to deal. Having learned from François Vigo, a merchant of Saint Louis, that Hamilton had sent away much of his force and had but eighty men in the garrison, Clark decided to recapture Vincennes. "Our case is desperate," he wrote to Governor Henry, "but, sir, we must either quit the country or attack Mr. Hamilton. . . . Perhaps we may be fortunate." Vigo cashed Clark's drafts on the Virginia agent at New Orleans and Clark sent "The Willing," an extemporized gunboat, down the Mississippi and up the Ohio and the Wabash. On the fifth of February, after the troops had been blessed by Father Gibault, the young lieutenant-colonel marched out of Kaskaskia with a force of about one hundred and seventy men, some of whom were French creoles. It was the beginning of an expedition that was one of the most daring in conception and one of the most brilliant in execution recorded in American history; in perils and hardships it ranks with Arnold's winter march to Quebec—and it was crowned with success.

January 29, 1779

Out of Egypt

The route before him, about one hundred and seventy miles in length, lay in a region that was so low that during the wet season a large part of it was overflowed. After a week's march, Clark's army came to one of the two branches of the Little Wabash. The flood was so great that "although a league asunder, they now made but one." Some time was spent in building a pirogue. "The fifteenth," says Clark, "happened to be a warm moist day for the season, and the channel of the river where we lay about thirty yards wide. A scaffold was

February 13

1779 built on the opposite shore that was about three feet under water; our baggage [was] ferried across, and put on it. Our horses swam across and received their loads at the scaffold, by which time the troops were brought across and we began our march. Our vessel was loaded

Map of George Rogers Clark's Expedition

with those who were sickly, and we moved on cheerfully." The second branch, being smaller, was crossed more easily. On the seventeenth, they reached the Embarras River and spent the night on a muddy, almost submerged hillock. Unable to cross the river, they followed it down to the Wabash. Major Bowman's journal says that, on the eighteenth, they "came in sight of the swollen banks of the Wabash; made rafts for four men to cross and go up to the town and steal boats; but they spend day and night in the water to no purpose, for there was not one foot of dry land to be found." On

the nineteenth, Clark sent two men down the river with orders for the gunboat "to come on day and night, that being our last hope and we starving; no provisions of any sort now two days." On the twentieth, they killed a deer, found some canoes, and captured a small boat containing five Vincennes Frenchmen; the prisoners gave the welcome information that Hamilton was unaware of the American approach. On the twenty-first, the little army crossed the Wabash, but found the whole country, save a few hillocks, under water. The men waded more than a league in water "breast high" and "sometimes to the neck," the boats picking up those who were in danger of drowning. Following the cheerless day, they spent a comfortless, hungry night on a semi-submerged hillock. 1779

The next day, after wading for some distance, they came to a wide valley in which the water was so deep that crossing seemed impossible. Clark made soundings from a canoe and found it "as deep as my neck." On his return to his army, the commander marched into the water and the men "fell in, one after another, without saying a word, like a flock of sheep." Presently one of the men found a path beneath his feet and, following it, "we came one league farther to some sugar camps, where we staid all night. Heard the evening and morning guns from the fort. No provisions yet. Lord help us!" Wet and Hungry — February 22

That night was freezing cold. "The morning," says Clark, "was the finest we had had on our march. A little after sunrise I lectured the whole." Before them lay a shallow lake four miles across, but the half-starved heroes still followed their leader. When some of the weaker began to fail, the canoes took them aboard, and finally the whole force reached dry land. Fires were built, but some of the men were so chilled that the warmth did not revive them and they had to be walked up and down by the stronger. They had been in water most of the time and almost without food for six days. Fortunately, they captured an "Indian canoe, on board of which was near half a quarter of buffalo, some corn, tallow, kettles, etc. This was a grand prize, and was Likewise Cold — February 23

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1779 invaluable. Broth was immediately made out and served out to the most weakly with care; most of the whole got a little, but a great many gave their part to the weakly, jocosely saying something cheering to their comrades. This little refreshment, and fine weather, by the afternoon, gave new life to the whole. Crossing a narrow deep lake, in the canoes, and marching some distance, we came to a copse of timber called the Warrior's island," two miles from Vincennes.

Clark at Vincennes

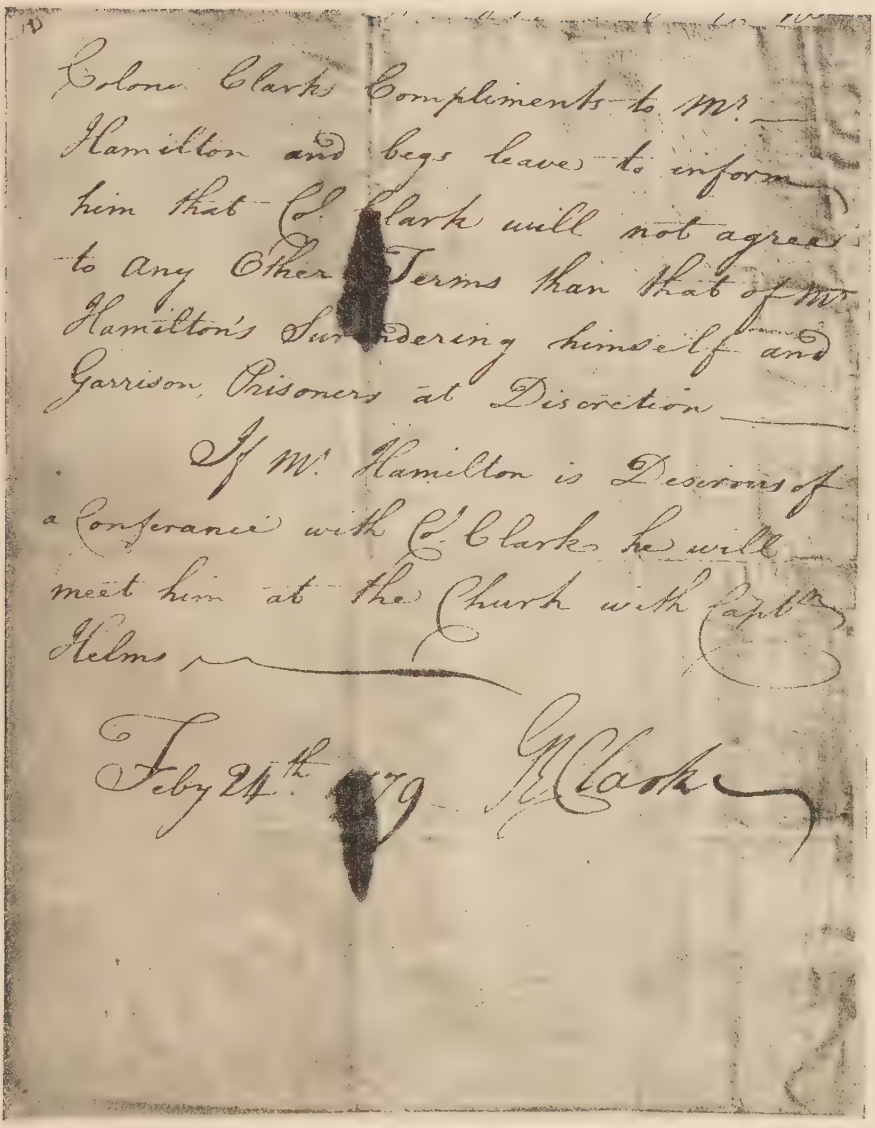
Nothing had yet been heard of "The Willing" which had been unexpectedly delayed by the flood-tide of the Ohio and the Wabash. But Clark knew the danger of delay. Hamilton had not dreamed of an attack at such a time and no one in Vincennes knew of the American approach. The first information came in a letter from Clark announcing that he was about to attack the town and ordering those who were his friends to remain quietly in their houses, while "those, if any there be, that are friends to the king, will instantly repair to the fort, and join the hair-buyer general, and fight like men." None of the inhabitants dared to carry the news to the fort and Hamilton was ignorant of his danger until the fort was actually attacked.

Clark Takes Vincennes

Throughout the night, the Americans kept up a hot fusillade, and rifle-pits were dug so close to the walls that the guns could not be depressed enough to fire upon the assailants. When the artillerymen attempted to serve the guns, they were shot down and every loophole was made a mark for Clark's skilled riflemen. Early in the forenoon, Clark demanded a surrender. While negotiations were going on, a party of Indians and white men returned from a foray and unsuspectingly entered the town; about nine of them were killed or captured; four were tomahawked and thrown into the river within sight of the garrison. In the afternoon, Hamilton asked

February 25

for further negotiations and finally surrendered. The Americans followed up their success by capturing on the Wabash a convoy coming from Detroit to Vincennes with ammunition, provisions, and clothing worth about ten thousand pounds. Some of the prisoners were


Colonel Clark's Compliments to Mr. Hamilton and begs leave to inform him that Col. Clark will not agree to any Other Terms than that of Mr. Hamilton's Surrendering himself and Garrison Prisoners at Discretion

If Mr. Hamilton is Desirous of a Conferance with Col. Clark he will meet him at the Church with Capt. Helms

Feby 24th 1779 G. Clark

Letter by George Rogers Clark to Lieutenant-Governor Henry Hamilton, Demanding Unconditional Surrender of Vincennes

From original in the Draper MS. collection, State Historical Society of Wisconsin, Madison, Wisconsin

1779 1780 paroled; Hamilton and twenty-five others were sent to Virginia where, by order of the executive council, they were ironed and kept in close confinement. Hamilton was paroled in October, 1780. In that month, the country northwest of the Ohio was organized as Illinois County—a part of Virginia.

For the Capture of Detroit

From the goods captured with the convoy, clothing was reserved for the troops that Clark expected soon to lead against Detroit, an expedition that he had been planning ever since his entry into the Illinois country. Leaving Captain Helm in charge at Vincennes with a garrison of forty men for the fort, Clark returned by river to Kaskaskia where he was received by Captain Robert George who with forty men had come up the Mississippi from New Orleans. In July, 1779, Clark was again at Vincennes expecting Virginia and Kentucky troops for the projected expedition. Of the three hundred promised from Kentucky, only thirty came. The expedition was not organized and Clark's spirit chafed under the disappointment.

The Saving of Kentucky

While Clark was winning the Old Northwest, there was trouble south of the Ohio with an almost even chance that the settlers would be driven from the "dark and bloody ground." In 1778, Daniel Boone had been captured and adopted by the Indians. He escaped and gave timely warning of a projected expedition. Early in September, the enemy, numbering about four hundred Indians and about forty French Canadians, were driven off with heavy loss—the last siege of Boonesboro. Clark's successes overawed the Indians, there was a great and immediate increase of immigration, and Kentucky was never again in real danger of annihilation, but there were raids and counter-raids for years thereafter.

Byrd's Expedition

By May, 1780, Colonel Arent Schuyler de Peyster, a New York Tory of old Knickerbocker stock who had been made the British commandant at Detroit, had fitted out two thousand warriors, hoping to retake Vincennes and to wipe out the clustered wooden forts south of the Ohio. In the latter part of the month, he sent out Captain Henry Byrd with about six hundred Indians, a few

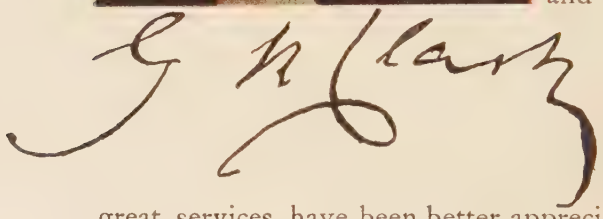
Canadians, and two small pieces of artillery. Moving southward by way of the Miami River, Byrd surprised and captured Ruddle's and Martin's stations in Kentucky and then rapidly retreated to Detroit. 1780 June 22

Meantime, George Rogers Clark was gathering a force at the mouth of the Licking. Among them were such famous fighters as Kenton, Harrod, and Floyd; the second in command was Benjamin Logan. With nearly a thousand men, Clark hastened into the Indian country, burned the town of Old Chillicothe, and pushed on to Piqua where there was a running fight followed by a stubborn contest. After destroying the Indian houses and a large quantity of corn, Clark's army marched back to the mouth of the Licking and was disbanded. For the rest of the year, the settlements south of the Ohio were not much molested. In November, the Virginia legislature divided Kentucky into three counties, Jefferson, Lincoln, and Fayette. Each county had its colonel, and Clark was stationed at the Falls of the Ohio as brigadier-general in command over all. Clark again in Active Service August 8

During all these months, Clark had been anxious for an opportunity to take Detroit. In September, 1780, Jefferson wrote to Washington urging him to furnish the necessary means and, late in December, Washington gave Clark an order on the commandant at Fort Pitt for artillery and stores and such troops as could be spared. Then came Benedict Arnold's invasion of Virginia, as will be explained in the next chapter. Clark tendered his services to Steuben and, "with a small body of militia, received the enemy in Indian and western fashion." In May, 1781, Clark wrote to Washington saying: "I have not yet lost sight of Detroit." In December, 1781, it was reported that the expedition was a failure, and "the buffalo meat all rotten." The opportunity for taking Detroit had passed. Clark's Pet Project

The little handful of men who had won an empire for the young republic deserved a rich reward, but the emoluments that they actually received were meager. As just explained, Clark was made a brigadier-general Tardy Appreciation

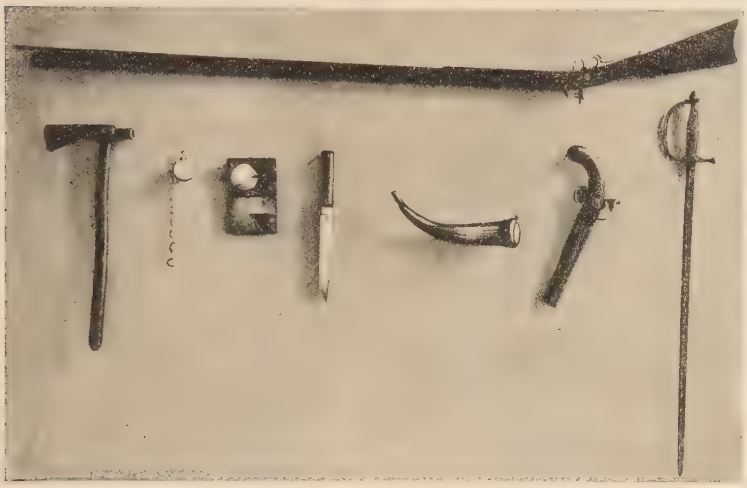
1780–1783 and, for some years, performed good service against the Indians. In 1781, Virginia granted to him, his officers, and men a hundred and fifty thousand acres of land that was later located in what are now Clark, Floyd, and Scott counties in southern Indiana; but a principality in Utopia may be worth less than an acre in Middlesex. In 1783, Clark was relieved of his command and left nearly penniless. Feeling that he had been badly used, he spent the last years of his life in solitude and poverty; in 1818, he died a paralyzed and helpless cripple; the careful searcher may find his grave in Cave Hill cemetery at Louisville. In recent years, his great services have been better appreciated and History now holds him up as one of the great figures of the American revolution.



François Vigo

Among those who deserved better of the United States than was accorded to them were two financiers of Clark's great campaign, François Vigo and Oliver Pollock. Vigo, a Sardinian by birth, had accompanied a Spanish regiment to New Orleans, left the army, and engaged in the Indian trade. His business prospered and, in 1778, he had an establishment at Saint Louis. It was he who first made known to Clark Hamilton's capture of Vincennes. The French of the Illinois country had no

liking for the continental currency and Clark would probably have been helpless had not Vigo cashed his drafts on the Virginia agent at New Orleans, advancing 1780 1784



Relics of George Rogers Clark — Rifle, Tomahawk, Watch, Pocket Compass, Knife, Powder-horn, Pistol, and Sword
(In possession of Col. R. T. Durrett, Louisville, Ky.)

thus about twelve thousand dollars, a large sum for those days. But Virginia was hard pressed for money and payment was not possible. When, in 1783–84, Virginia conveyed her western territory to the United States, it was stipulated that expenses incurred by the state, "in acquiring any part of the territory so ceded or relinquished, shall be fully reimbursed by the United States." Vigo later settled at Vincennes, lived in comparative poverty, and died at Terre Haute in 1836. From time to time, his claim was presented to congress. Its general justice was not disputed; seven times did committees of the house of representatives report in its favor; twice did the house pass bills for its payment; and, in the senate, bills providing for payment were reported. In 1872, both houses passed a bill referring it to the court of claims which, in 1873, found in favor of the heirs of François Vigo. The national government took the case to the supreme court

1777 which, in 1876, allowed the claim with interest and gave
1784 a judgment for more than fifty thousand dollars.

Oliver Pollock

The Virginia agent at New Orleans at the time of Clark's conquest was Oliver Pollock, a native of Ireland. About 1760, Pollock came to Pennsylvania whence, a few years later, he removed to Havana and there engaged in mercantile pursuits. In 1767, he took up his residence at New Orleans where he accumulated a large fortune. In 1777, the secret committee of the continental congress made him the commercial agent of the United States at New Orleans, a position that he held until 1783, freely using his own credit in aid of the colonies. From March, 1778, to November, 1779, Clark drew from Pollock more than fifty thousand dollars in specie; from September, 1776, to August, 1781, Pollock advanced, on the Virginia account and mainly for Clark's expedition, more than ninety-one thousand dollars in specie. But the continental credit was so poor and Virginia's inability to pay was so complete that Pollock's appeals for remittances brought no substantial response. In 1783, Pollock was made United States agent at Havana and left New Orleans largely indebted to the royal treasury for moneys advanced and for which the committee of congress had not been able to make reimbursement. In 1784, the Virginia bills on France were sent to Havana for collection and Pollock, not being able to pay them, was arrested for the debt and

François Vigo

kept in close custody for eighteen months. In December, 1785, congress voted Pollock ninety thousand dollars, but the treasury was empty and the money was not paid until 1791. In 1792, he returned to Pennsylvania and, in 1823, he died in Mississippi. 1781 1782

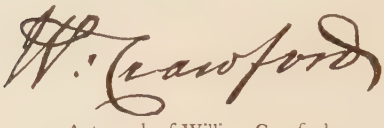
The Murder of the Christian Indians

In 1772, some persecuted Moravian missionaries and Indian converts moved from Pennsylvania to the valley of the Muskingum in Ohio. Before the war with England came, these "Christian Indians" had adopted the better habits of civilized life, and the missionaries believed that the whole Delaware tribe would soon come under their influence. But the British thought that the non-resistant Moravians were in alliance with the Americans, and the frontier settlers hated the dusky converts because they were Indians. In 1781, the governor at Detroit sent a party to urge the missionaries and their converts to accept the protection of the British at Upper Sandusky. The British party arrived at Gnadenhutten on the tenth of August. When their invitation was declined, houses were destroyed and cattle shot until the gentle missionaries were worn out. In September, they accompanied "their uninvited escorts" to the country of the Wyandots. The winter was one of hunger and, in the spring, about a hundred of the exiles returned to the deserted homes to gather of the corn that had been left standing in the fields in September. Then Colonel David Williamson hastily collected a band of borderers and hastened to the valley of the Muskingum where they found the Indians harvesting their corn. The white men shut the red men in a building and took a vote as to whether the captives should be carried to Fort Pitt or murdered where they were. Only eighteen votes were cast on the side of mercy. The prisoners were then told that "inasmuch as they were Christians, they would be given one night to prepare for death in a Christian manner;" in the morning, "ninety-six persons magnified the name of the Lord by patiently meeting a cruel death." The centennial of the massacre was celebrated at Gnadenhutten by the erection of a monument to the victims.

March, 1782

1782 The Crawford Expedition

On the twenty-fifth of May, a party of more than four hundred mounted backwoodsmen, including most of those who a few weeks before had shown their prowess in the murder of the inoffensive hundred, set out from Mingo Bottom (Steubenville) on the Ohio to punish the hostile Indians and to "put a stop if possible to the scalping, murdering and plundering which was continually committed on the defenceless settlers." The command had been given by vote to Colonel William Crawford, a brave officer of experience. But their plans were made known to the Indians, other tribes went to the aid of the Wyandots and Delawares, and artillery and British soldiers were sent from Detroit.



Autograph of William Crawford

June 5, 6

There were two battles in which the Americans were outnumbered and defeated. Before the middle of the month, the remnant of the expedition was again at Mingo Bottom, a defeated and demoralized rabble. Colonel Crawford had been captured and none of the stragglers could tell anything of his fate. He was

June 11

burned at the stake; "the barbarity of the Indian mind exhausted itself in the ingenuity of the tortures with which he was put to death."

Elizabeth Zane

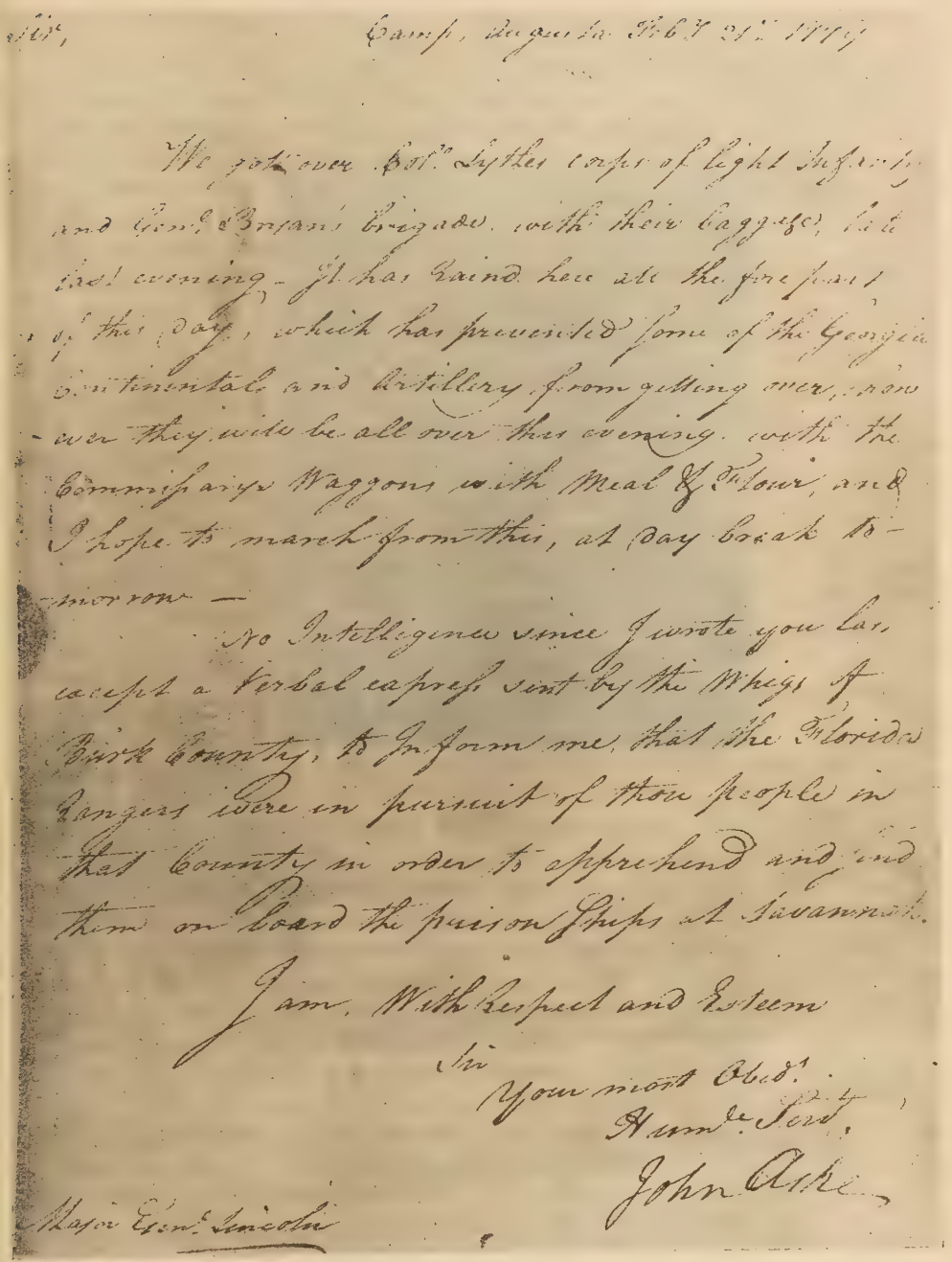
In September, 1782, Fort Henry (Wheeling) was a second time attacked. The desperate battle that ensued is now chiefly remembered because of the hazardous and successful expedition of Elizabeth Zane. When the ammunition of the garrison was exhausted, she ran from the fort to her brother's house, sixty yards distant. Taking from a table its stout homespun cloth, she knotted it about her waist and poured in the precious grains. On her return, the Indians recognized the meaning of her mission, but the faster the bullets flew the faster she fled; with her load, she reached the fort in safety. The powder was used wisely and, on the fourteenth, the enemy withdrew.

A Year of Blood

This was "Kentucky's year of blood." In August, a large force of Indians and Detroit rangers under Caldwell,

Siege of Fort Henry, September 11, 1782, the Last Battle of the Revolution

General Map of the Southern Campaign of 1780



Sir, Camp, Augusta Feb.y 21.st 1779

We got over Col.o Lytles corps of light Infantry and Gen.l Bryans brigade, with their baggage, last evening - It has rained here all the fore part of this day, which has prevented some of the Georgia Continentals and Artillery from getting over, now over they will be all over this evening, with the Commissarys Waggons with Meal & Flour, and I hope to march from this, at day break to-morrow —

No Intelligence since I wrote you last, except a Verbal express sent by the Whigs of Burk County, to Inform me, that the Floridas Rangers were in pursuit of those People in that County in order to apprehend and send them on board the prison Ships at Savannah.

I am, With Respect and Esteem

Sir

Your most Obed.t

Humble Serv.t

John Ashe

Major Gen.l Lincoln

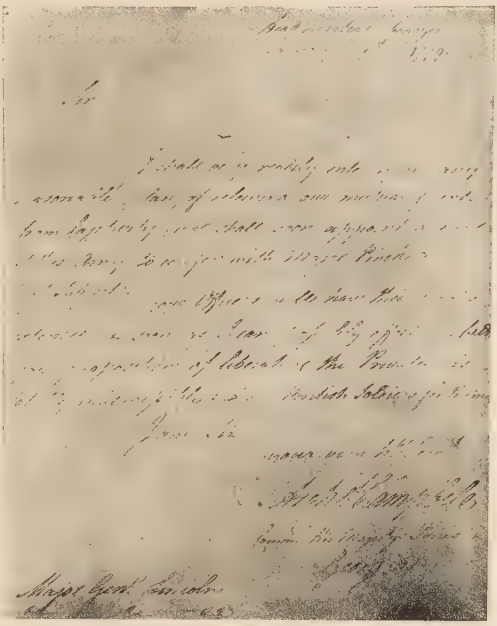
LETTER TO MAJOR-GENERAL BENJAMIN LINCOLN FROM GENERAL JOHN ASHE, REGARDING MOVEMENTS OF THE TROOPS IN GEORGIA, DATED FEBRUARY 21, 1779

(From original in the New York Public Library, Emmet Collection)

invaded Georgia, took Sunbury, and assumed the command at Savannah, while Campbell captured Augusta. 1779

General Lincoln and his Militia

At the request of southern delegates, congress had appointed General Lincoln to the southern command. He arrived at Charleston on the sixth of December. Gathering a force of about thirty-six hundred ill-disciplined men with troublesome notions of personal independence, Lincoln advanced to the Savannah River. Most of these men were militia who, when militia operations went awry, fled to the swamps and woods and carried on a murderous and predatory warfare against neighbors who were on the other side, a partisan conflict that had no equal in any other part of the country. In February, the British attempted to effect a lodgment on Port Royal Island but were driven off by Colonel Moultrie, and a body of about eight hundred loyalist banditti under Colonel Boyd were scattered by a force gathered by Colonel Andrew Pickens. Seventy of Boyd's Tories were captured and five of them were hung for treason against the state of South Carolina. Early in March, Lincoln began a movement upon Augusta, but the enemy fell upon a detachment of about fifteen hundred under General Ashe at Briar Creek and routed it so completely that only about four



Campbell's Letter to Lincoln relative to Exchange of Prisoners, dated January 9, 1779

February 2

Longitude 80° 30′ West from 80° Greenwich 79° 30′
NORTH CAROLINA
SOUTH CAROLINA
GEORGIA
ATLANTIC OCEAN
Operations
Marion's Operations
Gen. Gates' advance with Continental Troops
Movements of American forces are shown in blue and of French auxiliaries in black lines; British are shown in red.
Operations in 1778 and 1779 are designated by broken lines.
Operations in 1780 in continuous lines.
Gen. Gates
Sir Henry Clinton and Earl-Cornwallis
Movements of partisans and of small bodies of troops are shown in fine lines
Arrows indicate direction
Battles and skirmishes
THE M.-N. WORKS, BUFFALO, N. Y.
Scale of Statute Miles
0 10 20 30 40 50

MAP OF THE SOUTHERN CAMPAIGN TO THE CLOSE OF 1780,
INVASION OF THE CAROLINAS

Compiled by Lieutenant Joseph A. Baer, U. S. Army, Military Academy,
West Point, N. Y., and David Maydole Matteson, A. M.,
Cambridge, Mass.

By AUGUSTIN PREVOST *Esq; Brigadier-General, and Commander in Chief of His* MAJESTY'S *Troops in the Southern District,* HYDE PARKER, *Jun. Esq; commanding His Majesty's Ships in the River* Savannah, *and* ARCHIBALD CAMPBELL, *Esq; commanding the Northern Detachment.*

A PROCLAMATION.

WHEREAS the King, in Parliament, being desirous to restore the Blessings of Reconciliation and peace to Great-Britain and the Colonies, did, in the course of the last year, repeal certain acts, which were found to have excited jealousies, and to have given apprehensions of danger to liberty in the said colonies: And whereas the inhabitants of Georgia have acknowledged, that the benevolent overtures of Great-Britain in that respect, are such as come up to every wish, that they in the hour of temperate deliberation, or the utmost apprehensions of danger to liberty had ever expressed, and have sealed that acknowledgement by the sacred testimony of their just allegiance to the crown.

WE, the commanding Officers of His Majesty's fleet and army, from a just regard to the welfare of Georgia, and for the preservation of peace and good order among its inhabitants, DO HEREBY DECLARE, that all the laws of the province of Georgia, which were in force at the end of the year 1775. ARE, and shall continue in full force, until such time as a period of his disquiet, shall enable a future General Assembly, to alter or amend them. And for the more immediate and effectual execution of justice, without which the property of individuals cannot be safe, public confidence restored, nor domestick tranquility confirmed; WE hereby nominate and appoint the following gentlemen, to the several departments of the civil government in Georgia, 'till His Majesty's pleasure is known, namely,

His HONOUR Lieut. Col. JAMES MARK PREVOST, Esq; Lieutenant Governor.

MEMBERS of COUNCIL.

The Honourable Lewis Johnston, Esq;
John Hume, Esq;
James Penman, Esq;
Martin Jollie, Esq;
James Robertson, Esq;
William Telfair, Esq;
James Mosman, Esq;
Roger Kelsall, Esq;

COMMISSIONERS of CLAIMS.

James Penman, Esq;
Martin Jollie, Esq;
James Robertson, Esq;
William Telfair, Esq;
Roger Kelsall, Esq;

Lewis Johnston, Esq; Chief Justice,
Martin Jollie, } Assistant Judges.
John Mullryne, }
James Robertson, Esq; Attorney General,
John Hume, Esq; Secretary of the Province,
Angus Campbell, Esq; Prothonotary,
Joseph Farley, Esq; Provost Marshall,
Lewis Johnston, Esq; Treasurer,
Robert M'Culloh, Esq; Collector of the Customs,
William Brown, Esq; Comptroller,
Steven Haven, Esq; Naval Officer,
Martin Jollie, Esq; Judge of the Admiralty,
Kigdon Brice, Esq; Marshal of the Court of Admiralty,
William Stewart, Esq; Notary Public.
Alexander Wylly, Esq; Clerk of the Court,
David Montaigut, Esq; Clerk of the Council,
Philip Yonge, Esq; Surveyor General,
The Rev. Mr. Edward Jenkins, Rector of the Parish of Christ Church.

Given at Savannah, *the fourth Day of* March, 1779.

AUG. PREVOST,
HYDE PARKER,
ARCH. CAMPBELL.

PROCLAMATION BY PREVOST, PARKER, AND CAMPBELL TO THE PEOPLE OF GEORGIA, DATED MARCH 4, 1779
(From copy in Library of Congress)

hundred and fifty men rejoined the main army. Thus Lincoln lost a third of his army and Prevost regained the upper hand. 1779

South Carolina ordered a regiment of light dragoons and Governor Rutledge gathered the South Carolina militia. On the twentieth of April, Lincoln again moved against Augusta, leaving Moultrie with about a thousand men to defend the line of the lower Savannah. Prevost at once crossed the Savannah, drove the Americans under Moultrie before him, and appeared before Charleston. Defenses were thrown up and, when Prevost crossed the Ashley, Pulaski and his famous legion crossed the Cooper. The state council proposed that South Carolina should become neutral "and the question whether the State shall belong to Great Britain or remain one of the United States, be determined by the treaty of peace between those two powers." Evidently, Rutledge and others dreaded the destruction of their city and the pillage of their state, and they probably were angered by the advice of congress that three thousand of their negroes should be armed. But the younger Laurens would have nothing to do with neutrality; Gadsden and Ferguson voted against the proposal; Edwards, another member of the council, wept at the thought; and Moultrie made no

A Proposed Neutrality

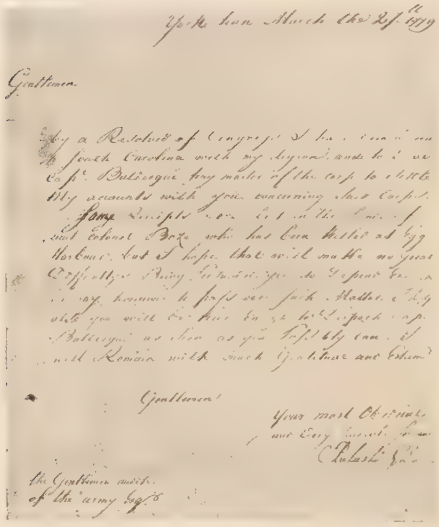
April 28

May 8

1779 effort to conceal his disgust. Prevost demanded a surrender of the garrison and Moultrie exclaimed: "We will fight it out!" The approach of Lincoln temporarily saved the city and the British retreated into Georgia leaving a garrison at Beaufort and carrying off much valuable plunder. The heat became intense, much of the American army melted away, and Lincoln with about eight hundred infusibles retired to Sheldon for summer quarters.

The Siege of Savannah

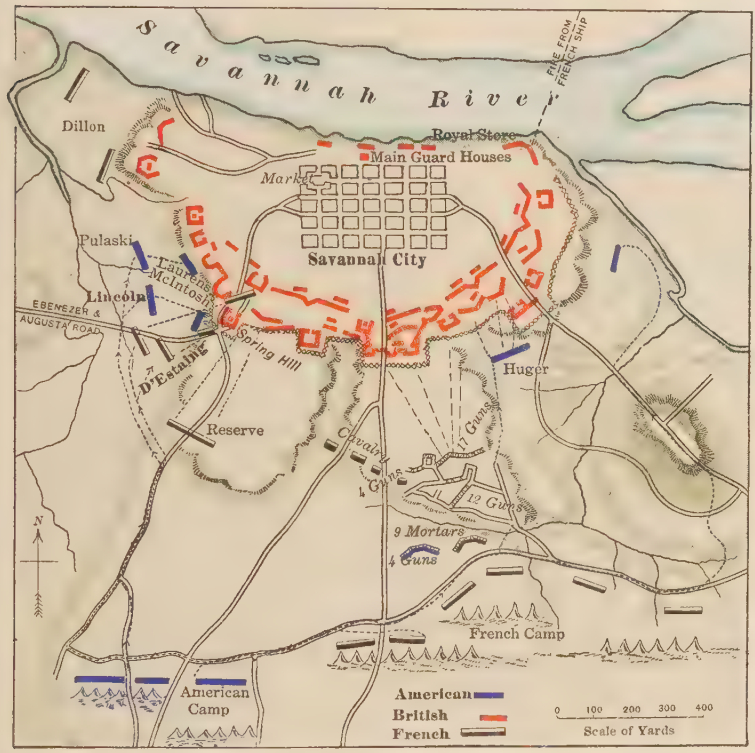
After being shut up at Port Royal for several months by a superior British fleet that was called off at the end of June, 1779, Admiral d'Estaing had captured Grenada and then spent some time cruising in the West Indies. On the first of September, he appeared off the Georgia coast so suddenly that he took four British warships by surprise. On the third, he anchored off the mouth of the Savannah River with thirty-five ships and several thousand troops. Arrangements were quickly made for a combined attack upon Savannah. On the evening of the sixteenth, d'Estaing, in the name of the king of France, summoned Prevost to surrender. Lincoln and his troops arrived on the twenty-third and siege operations were begun. In the meantime, the British had been working night and day with relays of negroes strengthening their defenses. "Great God!" exclaimed Marion, "who ever heard anything like this before? First allow your enemy to intrench and then fight him!" The allied army, about seven thousand men, besieged the



Pulaski's Letter to the Auditor of the Army, March 27, 1779

July 4

town for two weeks or more without making much impression. Then, fearing the autumnal storms and the arrival of a British fleet, d'Estaing demanded that the siege be raised or an assault made. On the eighth of October, it was determined to make an assault that night, but a deserter gave the enemy full information of the intended movement. Sheltered behind their defenses, the British, with trifling loss to themselves, were able to 1779



Map of the Siege of Savannah

inflict a loss of more than a thousand. D'Estaing was twice wounded; the gallant Pulaski, and Jasper, the hero of Fort Moultrie, were among the slain. The assault was a total failure and Prevost was made a major-general. October 9

On the nineteenth of October, the dispirited Americans crossed the river; when they were safely over, the Clinton Sails for Charleston

1779 French embarked and sailed away. Between Savannah
1780 and Charleston, the inhabitants knew not where to find protection while the victorious redcoats fairly glowed with eagerness for plunder. Sir James Wright, the royal governor of Georgia who had fled in 1776, returned to rule his province; only in the interior did the spirit of armed resistance survive. Encouraged by these results,

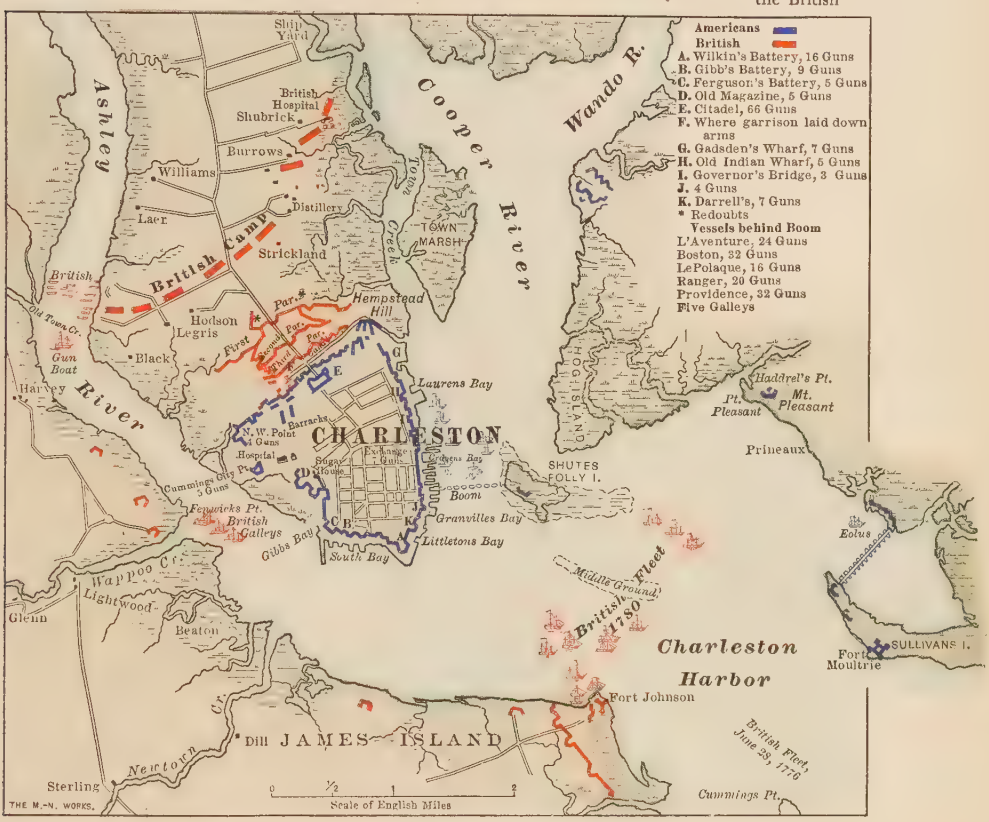
Hastings

December 26 Sir Henry Clinton left Lieutenant-general Knyphausen in command at New York and sailed with Earl Cornwallis and seventy-five hundred men for Charleston. By the end of January, most of the transports were at Tybee whence Clinton sent orders for Francis Rawdon Hastings, better known as Lord Rawdon, to come on from New York with his brigade of three thousand more. The British landed

February 11 coast about thirty miles below Charleston and crossed to James Island. At this time, the garrison of the city amounted to about twenty-two hundred regulars and one thousand militia, but, as Clinton did not advance for nearly a month, the Americans were able to bring up heavy reinforcements and to

strengthen the defenses in the rear of the city. It was hoped that Commodore Whipple, who had in the harbor nine small vessels carrying one hundred and fifty guns, would be able to prevent the British fleet from crossing the bar and there was too much confidence in the neglected and almost worthless Fort Moultrie. 1780

On the twentieth of March, Admiral Arbuthnot's smaller ships crossed the bar without much difficulty, and Charleston Taken by the British



Map of the Siege of Charleston

most of Whipple's vessels were sunk by their own crews to obstruct the channel between the town and Shutes Folly Island, the guns and men of the squadron being transferred to the batteries on shore. On the ninth of

1780 April, in a furious thunder-storm, the British fleet hugged the shore of James Island, passed Fort Moultrie with a loss of only twenty-seven men and one ordnance vessel, and anchored under the guns of Fort Johnson within cannon-shot of the town. Meanwhile, the British land forces had crossed the Ashley and made good their position between the two rivers. Clinton demanded a surrender on the ninth, opened fire on the eleventh, slowly closed about the city, and made evacuation impossible. On the seventh of May, a force of seamen and marines captured Fort Moultrie. Resistance now became hopeless. On the eleventh of May, Lincoln surrendered the city and more than five thou-

Coat of Arms of Arthur Middleton

Arthur Middleton and his Family

sand men. Among those who had been active in the defense of the city was Arthur Middleton, a signer of

the declaration of independence. He was carried as a political prisoner to Saint Augustine and was later confined in the "Jersey" prison ship. He was exchanged before the end of the year and served in congress until the close of the war. 1780

The loss of Charleston left South Carolina at the mercy of the enemy. Silver plate was carried off and, at one embarkation, two thousand negroes were sent to the West Indies for sale. A major-general's dividend of the spoil was more than four thousand guineas. Ninety Six, Camden, and other strategic places in the interior of the state were occupied and three expeditions sent into the up-country to encourage the loyalists and to overawe the rebellious. One of these went up the Savannah to Augusta; another to the district of Ninety Six; while the third and largest, led by Cornwallis, moved into the region north of the Santee. Cornwallis sent Lieutenant-colonel Tarleton, a dashing cavalry leader, with seven hundred mounted men in pursuit of Lieutenant-colonel Buford and the remnants of the American cavalry and some Virginia troops who had been too late to reinforce the garrison at Charleston. Tarleton's Quarter

Ban Tarleton

SOUTH-CAROLINA.

By Sir HENRY CLINTON, Knight of the Bath, General of His Majesty's Forces, and MARIOT ARBUTHNOT, Esquire, Vice-Admiral of the Blue, His Majesty's Commissioners to restore Peace and good Government in the several Colonies in Rebellion in North-America.

PROCLAMATION.

HIS MAJESTY having been pleased, by His Letters Patent, under the Great Seal of Great-Britain, to appoint us to be his Commissioners, to restore the Blessings of Peace and Liberty to the several Colonies in Rebellion in America, WE do hereby make public his most gracious Intentions, and in Obedience to his Commands, DO DECLARE, to such of his deluded Subjects, as have been perverted from their Duty by the Factious Arts of self-interested and ambitious Men, That they will still be received with Mercy and Forgiveness, if they immediately return to their Allegiance, and a due Obedience to those Laws and that Government which they formerly boasted was their best Birthright and noblest Inheritance, and upon a due Experience of the Sincerity of their Professions, a full and free Pardon will be granted for the treasonable Offences which they have heretofore committed, in such Manner and Form as his Majesty's Commission doth direct.

NEVERTHELESS, it is only to those, who, convinced of their Errors, are firmly resolved to return to and Support that Government under which they were formerly so happy and free, that these gracious Offers are once more renewed, and therefore those Persons are excepted, who, notwithstanding their present hopeless Situation, and regardless of the accumulating Pressure of the Miseries of the People, which their infatuated Conduct must contribute to increase, are nevertheless still so hardened in their Guilt, as to endeavour to keep alive the Flame of Rebellion in this Province, which will otherwise soon be reinstated in its former Prosperity, Security, and Peace:

Nor can we at present resolve to extend the Royal Clemency to those who are polluted with the Blood of their Fellow Citizens, most wantonly and inhumanly shed under the mock Forms of Justice, because they refused Submission to an Usurpation which they abhorred, and would not oppose that Government with which they deemed themselves inseparably connected: And in order to give Quiet and Content to the Minds of his Majesty's faithful and well affected Subjects, WE do again assure them, that they shall have effectual Countenance, Protection and Support, and as soon as the Situation of the Province will admit, the Inhabitants will be reinstated in the Possession of all those Rights and Immunities which they heretofore enjoyed under a free British Government, exempt from Taxation, except by their own Legislature: And we do hereby call upon all his Majesty's faithful Subjects to be aiding with their Endeavours, in order that a Measure, so conducive to their own Happiness, and the Welfare and Prosperity of the Province, may be the more speedily and easily attained.

GIVEN under our Hands and Seals, at Charles-Town, the First Day of June, in the Twentieth Year of His Majesty's Reign, and in the Year of Our Lord One Thousand Seven Hundred and Eighty.

HENRY CLINTON,

MARIOT ARBUTHNOT.

By their EXCELLENCY's Command,

JAMES SIMPSON, *Secretary.*

CHARLES-TOWN: Printed by ROBERTSON, MACDONALD & CAMERON, in Broad-Street, the Corner of Church-Street.

ONE OF THE PROCLAMATIONS ISSUED BY CLINTON AND ARBUTHNOT

Tarleton overtook Buford near the Waxhaw, not far from the North Carolina line, on the twenty-ninth of May. Buford and some of his men escaped, but of an unresisting five hundred who appealed for quarter, one hundred and thirteen were killed on the spot and one hundred and fifty "were too badly hacked to be moved." To this day, "Tarleton's quarter" is a familiar expression in that part of the Palmetto State. Sir Henry Clinton wrote to Germain: "I may venture to assert that there are few men in South Carolina who are not either our prisoners or in arms with us." 1780 June 4

Government by Proclamation

With skilful management, the British might now have held the state with but little further opposition. South Carolinians had accepted the declaration of independence in compliance with the wishes of the other colonies rather than from an enthusiastic desire for separation. As late as 1779, says McCrady, "their zeal and their fire were yet to be aroused." Their indifference was doubtless increased by a feeling of resentment at the other colonies for not having rendered more assistance. But the British policy was not wise. Proclamation followed proclamation with promises of pardon and benefits for the obedient and of punishments and confiscations for the refractory. In direct violation of the terms of the capitulation at Charleston, Clinton proclaimed as rebels all who refused the oath of allegiance, and required even prisoners on parole to take an active part in restoring the king's authority. He then sailed for New York leaving the southern command to Cornwallis. June 3

Partisan Warfare

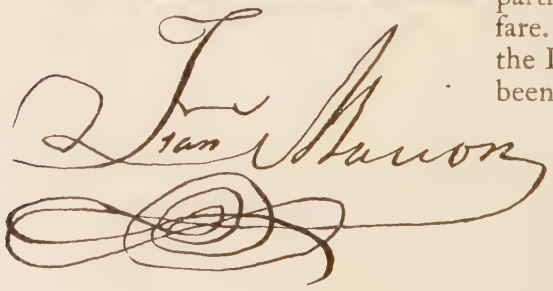
A large part of the population was willing to remain neutral, but, when the issue was thus made up, it was natural that the South Carolina patriot, hopeless as he was, should say, "If I must fight, I will fight on the side of my countrymen." Organized resistance was out of the question, but it was not long before a system of partisan warfare was wearying the conquerors. "Sumter sounded the bugle among the hills on the Catawba and Broad Rivers; Marion's shrill whistle rang amid the swamps on the Pedee; and Pickens and Clarke called

1780 forth the brave sons of liberty upon the banks of the Saluda." Another of these partisan leaders was William R. Davie who had doffed a Princeton student's gown to take the sword in aid of the cause of American independence.

General Sumter

Thomas Sumter had been present at Braddock's defeat in 1755 and was made lieutenant-colonel of the second South Carolina regiment of riflemen in 1776. After the fall of Charleston, he hid in the Santee swamps, made his way to North Carolina, collected a band of refugees, and returned southward to harass the British. With him was Colonel William Neale, whose regiment Cornwallis was trying to force into the service of the king. Many of Neale's men joined their old commander and, with Whig recruits from the Waxhaw, swelled the partisan band to about six hundred; then Governor Rutledge made Sumter a brigadier-general of the state militia.

The Swamp Fox



Francis Marion had been well schooled in partisan and regular warfare. He had fought the Indians in 1761, had been with Moultrie at Charleston in 1776, and served in the disastrous expedition against Savannah in 1779. He later organized the force that became famous as "Marion's brigade," arming and equipping it as fortune permitted. At a country

forge, old saws were rudely reshaped into sabers, and pewter mugs were molded into bullets. His men moved with almost superhuman swiftness and, when hard pressed, vanished in the woods and swamps only to reunite and strike a staggering blow before the search for them was ended. When they had no blankets, they slept on the ground; while other troops took up their beds and walked, they went on the double-quick without them. It is said that after a long and fruitless chase of Marion's men, the quick-moving Tarleton said: "Come boys, let us go back and find the game cock [meaning Sumter]; as for this damned swamp-fox, the devil himself could not catch him." The two epithets stuck where Tarleton put them. 1780

A Celtic Civil War

Toward the end of June, about thirteen hundred loyalists assembled at Ramsour's Mills, near the present Lincolnton, in North Carolina. Here they were attacked by a force of Whig militia and "acquaintances and old neighbors fought until nearly three hundred were killed or wounded." In South Carolina, most of the Scotch took the British side, while most of the up-country Scotch-Irish became Whigs. Tory and British parties went about pillaging and murdering and the Whigs equaled them in bitterness and ferocity. On the first of August, Sumter failed to capture a post at Rocky Mount; five days later, assisted by Davie, he attacked a force of five hundred British regulars and Tories at Hanging Rock. After the Tories had been put to flight and sixty-two of Tarleton's legion had been killed or wounded, Sumter's ill-disciplined men began a quest for liquor and plunder; then the enemy made a final assault and Sumter had to retreat. Then and there, an orphan boy of Scotch-Irish descent, Andrew Jackson, made his first appearance as a fighter. In twelve engagements during the month beginning the twelfth of July and ending the twelfth of August, about five hundred British were killed, wounded, or captured at a loss of not half that number of patriots. No other state suffered so much from the ravages of war as did South Carolina.

1780 During the war, "one hundred and thirty-seven battles, actions, and engagements took place in the state."

Gates Chosen to the Southern Command

About the middle of April, Baron de Kalb had been sent southward with about two thousand Maryland and Delaware troops. On the first of June, at Petersburg, Virginia, he heard of the fall of Charleston, but he pressed on and, by the twentieth of June, was at Hillsboro, North Carolina. Lincoln's surrender made it necessary for congress to appoint a new general to command in the South. Washington desired that General Greene should be named, but congress chose "the hero of Saratoga" for the task of "burgoyning Cornwallis." Gates accepted the position with confidence and received many congratulations. "Our affairs to the southward look blue," wrote Richard Peters, secretary of the board of war; "so they did when you took command before the Burgoynade. I can only now say, *Go and do likewise*—God bless you!" Charles Lee, with a shrewder appreciation of Gates's abilities, is said to have given the ominous warning: "Take care that your northern laurels do not change to southern willows."

A Caricature of Charles Lee

Gates Advances

Gates arrived at Hillsboro and succeeded Kalb on the twenty-fifth of July. Two days later he marched southward with what he called the "Grand Army." Contrary to the advice of his principal officers, he took the shorter route through the sand-hill region, a belt of pine barrens peopled largely with Tories, instead of the longer way through the fertile and friendly counties of Rowan and Mecklenburg.

On the seventh of August, he effected a junction with the North Carolina militia under Caswell and, by the thirteenth, was at Rugeley's Mills, twelve miles from Camden. He now had about fourteen hundred good troops and about nine hundred militia, many of whom had never been in action, and had just received bayonets in the use of which they had not been instructed. 1780

Gates Wastes Two Days

Meanwhile, Lord Rawdon had been gathering an inferior force of British in front of Camden. If Gates had moved forward at once, he might have overwhelmed Rawdon, but he wasted two days and then took up a position at Clermont. On the fourteenth, he was joined by seven hundred Virginia militia under Brigadier-general Stevens, and sent four hundred of his best troops to coöperate with Sumter in cutting the British line of communication, evidently hoping that he might surround the British as he had done Burgoyne. On the same day, Cornwallis reached Camden with reinforcements that brought his army up to about two thousand men.

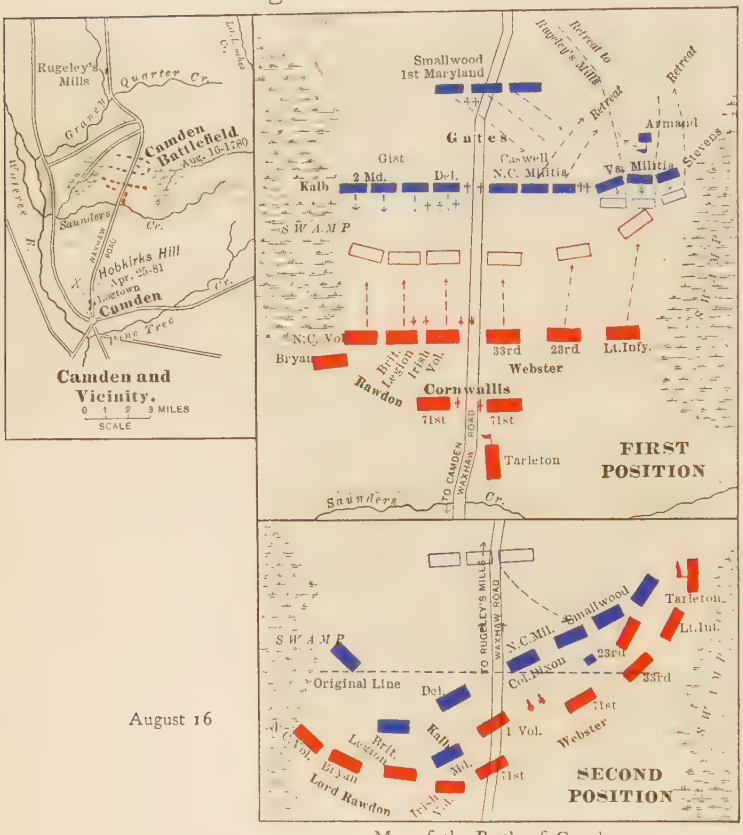
A Strange Coincidence

At ten o'clock on the evening of the fifteenth of August, Gates set out for Camden to attack Cornwallis, and Cornwallis set out from Camden to surprise Gates. The night was dark and sultry and both armies marched through the deep sand without sound of footfall. Between two and three in the morning, the two vans met near Saunders Creek. The surprise was mutual and the double attack simultaneous. Colonel Armand's French legion of the American van fled panic-stricken, but the Virginia and the North Carolina militia closed in from the flanks and checked the advance of the enemy. The two armies deployed across the road and waited for daylight. Hearing from a prisoner that the British numbered three thousand men, Gates called a council of war and asked what ought to be done. "Well, gentlemen, is it not too late *now* to do anything but fight?" asked Stevens.

The Battle of Camden

The British army had crossed Saunders Creek; their rear and both flanks were protected by swamps. The Americans were in an open wood and both flanks were exposed. The situation was singularly favorable to

1780 Cornwallis with a force that was weaker in numbers but superior in discipline and efficiency. On the American right were Kalb and Gist with the continentals and Dixon's North Carolina regiment; on the left were Caswell and Stevens with their militia brigades. On the British left was Lord Rawdon while on the right, opposed to Gates's untried militia, Cornwallis placed his best troops under his best officer, Lieutenant-colonel Webster. Gates appears to have fought with no definite plan and the result was a rout rather than a battle. The American left fled at the first onset and the regulars on the right were cut to pieces or driven from the field. Brave old Kalb, unhorsed and fighting on foot, fell pierced with eleven wounds and died three days later. Gates fled with such precipitation that that night he was at Charlotte, sixty miles away. In less than four days he was at Hillsboro one hundred and eighty miles distant, without even an escort. Here he began the work of gathering up the fragments of his broken army. Few disasters were ever more complete. With a loss slightly in excess of three hundred, the



Map of the Battle of Camden

August 16

British had killed and wounded about a thousand and had captured as many more, besides seven cannons, two thousand muskets, and Gates's entire baggage train. The laurels of Saratoga had indeed changed into willows. Cornwallis retired to Camden. 1780

Stunning as was the blow, it was quickly followed by another. On the day before the battle, Sumter captured Cornwallis's supply train at the Wateree and took more than a hundred prisoners. He then retreated up the Wateree River to Fishing Creek where he was surprised by Tarleton. All the booty and prisoners were lost, a hundred and fifty Americans were killed and wounded, and upwards of three hundred were captured. On the same day, however, Isaac Shelby, Elijah Clarke, and James Williams with a partisan force inflicted a crushing defeat on four or five hundred British and Tories at Musgrove's Mills. Two days later, the wily Marion dashed upon a British detachment, captured twenty-six, released a hundred and fifty Marylanders taken at Camden, and escaped with the loss of only two men wounded. The Ubiquitous Tarleton. August 18

After spending nearly a month at Camden during which time the troops suffered greatly from heat and fever, Cornwallis pushed on with the main army to Charlotte early in September. In the meantime, Tarleton moved northward between the Catawba and the Broad and joined Cornwallis. With a force composed of northern and southern Tories, Major Patrick Ferguson, an able Scotch officer, operated among the foot-hills of the mountains. Cornwallis Advances to Charlotte

In attempting to cut off a force under Colonel Clarke who had followed up the success at Musgrove's Mills by making an unsuccessful attack on Augusta and had then retreated northward, Ferguson pushed far to the westward into a semi-wilderness as far as a place called Gilbert Town, near the present Rutherfordton in North Carolina. While here, having heard that some of the over-mountain men had been at Musgrove's Mills, he paroled a prisoner who was a distant relative of Isaac Shelby and sent him to tell the people of Watauga that Ferguson's Misplay

1780 if they did not desist from opposing the king he would march over the mountains, hang their leaders, and lay waste their country with fire and sword.

The Overmountain Men

After their victory at Musgrove's Mills, Shelby, Clarke, and Williams had formed a tentative plan to raise a force and attack Ferguson; Ferguson's threat was what was needed to bring the necessary men into the field. Sycamore Shoals on the Watauga River was

September 25 selected as the rendezvous and the appointed day saw a strange assemblage. Colonel William Campbell was there with four hundred men from southwestern Virginia. Colonel Charles McDowell was there with about a hundred and sixty refugee Whigs. Practically the whole population of the Watauga region attended. Shelby and Sevier each had a company of two hundred and forty men. The danger from the Cherokees was too great to allow all to go, but the young men came to enroll themselves for the campaign while the old men who were to be left behind came to encourage the youthful soldiers and to receive instructions for the defense of the stations. Most of the volunteer riflemen were clad in homespun and wore the hunting-shirt characteristic of the backwood soldiery. Each one owned the rifle that he bore and knew the horse that carried him.

Whig versus Tory

On the morning of the twenty-sixth and under the leadership of Colonel Campbell, the whole force set out for Gilbert Town where Ferguson was supposed to be.

September 30 At the Catawba River, they were joined by about three hundred and fifty men from North Carolina under Colo-

October 6 nel Cleaveland, and at the Cowpens, by four hundred more from South Carolina. Meanwhile, two deserters informed Ferguson of the American approach. Ferguson at once sent to Ninety Six for reinforcements, hastened messengers to Cornwallis informing him of the situation, recalled his furloughed men, and fell back slowly toward Charlotte. On the sixth of October, he encamped on King's Mountain, a rocky plateau about six hundred yards long and about sixty feet above the level of the surrounding country—a position so strong

that he is said to have declared that "all the rebels outside of hell" could not drive him from it. On the evening of the same day, Colonel Campbell selected his best-mounted men and, leaving the rest to follow, pushed forward from the Cowpens to fight Ferguson wherever he could find him. The command marched all night and so timed their movements that Ferguson was almost surrounded before he knew of the presence of his enemy. Ferguson's command had been recruited from the loyalist population; Draper says that Ferguson himself was probably the only British soldier present. The impending battle was to be fought between Whigs and Tories; he who loses need little hope for mercy. 1780

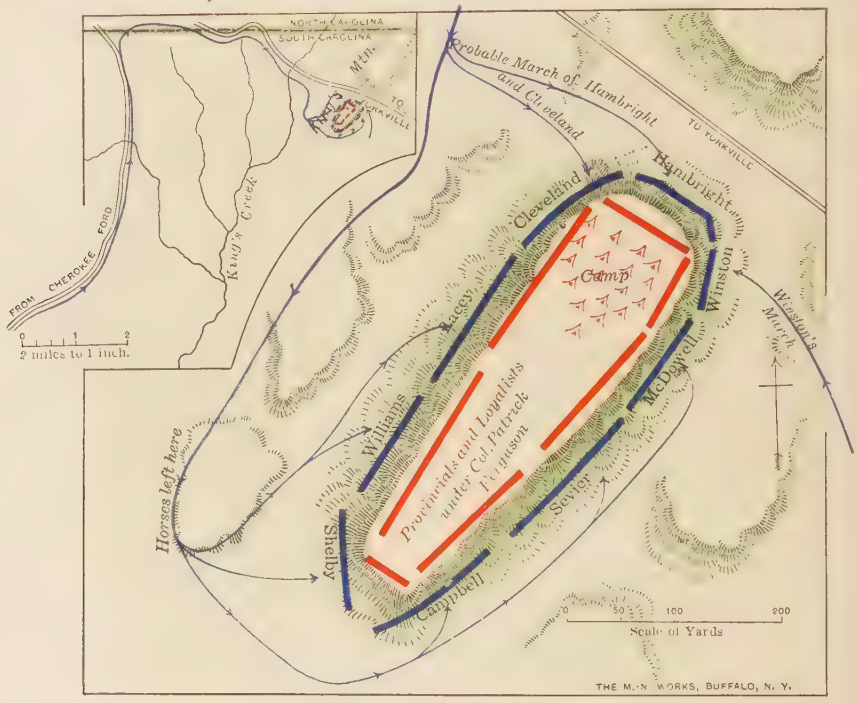
The Battle of King's Mountain

On the afternoon of the seventh of October, the Americans dismounted, secured their horses under guard and out of gunshot, and advanced to the attack. From different sides of the hill they crept up the wooded slopes, firing when they saw an enemy. Colonel Campbell threw off his coat and cried: "There they are, my brave boys; shout like hell and fight like devils!" The order seems to have been literally obeyed. Three times were the assailants driven back by desperate bayonet charges only to reform their lines, return to fight, and to repay twofold the slaughter that swept down from the hilltop. Ferguson behaved with great gallantry, rushing from point to point to encourage his men. Twice the Tories ran up white flags and twice Ferguson cut them down. Rather early in the action, he fell, pierced by half a dozen balls and the command passed to Captain Abraham de Peyster, a New York Tory, of "The King's American Regiment." After the action had raged for more than an hour, the enemy displayed the white flag and asked for quarter. Just then, a foraging party that Ferguson had sent out began an attack on the American rear—an adequate reason for continuing the action although the foe in front was begging for quarter. At all events, some of the Whigs shouted "Give 'em Buford's play," and it was some time before the slaughter ceased. Had King's Mountain been a British

1780 victory, some American historians would have called it a "massacre."

The Effect of the Battle

The British force had been completely enveloped and few if any of the Tories escaped; about nine hundred



Map of the Battle of King's Mountain

were killed, wounded or taken. The Whig loss was officially reported at twenty-eight killed and sixty wounded; the loss was probably greater. The Americans captured arms largely in excess of the British loss in men, Ferguson having had a surplus supply for the arming of the loyalist recruits who flocked to his army as it advanced through the country. The victors slept upon the field and, at dawn of the next day, buried the dead. On the morning of the ninth, the hurried homeward march was begun, victors and vanquished alike half famished. On the thirteenth, a court was improvised, thirty or forty of the hated Carolina Tories were

Sunday, October 8

sentenced to death, and nine were hung in retaliation for Cornwallis's execution of influential patriots. The battle of King's Mountain cost Cornwallis a quarter of his army and changed the course of the war in the South. Cornwallis fell back from Charlotte to Winnsboro between Camden and Ninety Six, and "the hero of Saratoga," following at a respectful distance, placed the remnants of his "grand army" in camp at Charlotte. 1780

Morgan

Small as were the numbers engaged, the battle of King's Mountain was one of the most important of the war. Congress was sending needed aid; as hope rose in the hearts of the southern patriots, they increased their activities. Among the reinforcements was Colonel Daniel Morgan. No man except Arnold had done so much in the conflicts with Burgoyne, but in its distribution of rewards, congress had ignored him. Justly indignant at this ingratitude, Morgan resigned his command and retired to his home in Virginia. In June, 1780, congress directed that he should be reëmployed in the southern army but Morgan showed no eagerness to serve again under "the hero of Saratoga." After the disaster at Camden, his patriotism got the better of his indignation and he hastened to the front; he arrived at Hillsboro in September and congress soon made him a brigadier-general.

Greene

At Valley Forge, in March, 1778, General Greene had accepted the thankless offer of quartermaster-general, reserving the right to command on the field of battle as he did at Monmouth. In August, 1780, he resigned that office and, in October, he was appointed to the command at West Point, a place made vacant by Arnold's treason as will be related in the next chapter. When the failure of Gates's southern campaign forced the choice of a new commander, all eyes turned toward Greene as his successor. On his way to his new command, Greene left Steuben in Virginia to recruit and organize a force as quickly as possible. Washington said: "I think I am giving you a general, but what can a general do without men, without arms, without clothing,

1780 without stores, without provisions." But the "gift" of the general changed the aspect of affairs. Greene relieved Gates at Charlotte on the second of December. He was destined not to win a single victory where he personally commanded and yet to emerge from the southern conflict with the reputation of being the second soldier of the Revolution.

CHAPTER X

THE WAR IN THE NORTH, 1779–1780

AFTER the battle of Monmouth, Washington had taken up his headquarters at White Plains whence, in September, he sent to congress a copy of the report of a board of officers that he had appointed "to consider what would be the most eligible plan for invading Canada." A few weeks later, he received "a plan and sundry resolutions of Congress for attacking Canada the next Campaign" and replied expressing his disapproval of the plan. Later in the month, he reported that his army was in motion to the places of the respective cantonments for winter quarters. Nine brigades were to be stationed on the west side of the Hudson, exclusive of the garrison at West Point, seven at Middlebrook, and one at Elizabethtown to cover the lower part of Jersey. Six brigades were to be stationed at West Point and east of the Hudson, for the immediate defense of the Highlands and the protection of the country lying along the sound. In closing his communication, Washington said: "The Troops must again have recourse to the expedient of hutting, as they did last year. But, as they are now well clad, and we have had more leisure to make some little preparations for winter-quarters, I hope they will be in a more comfortable situation, than they were in the preceding winter."

Washington's Army in Winter Quarters

November 11, 1778

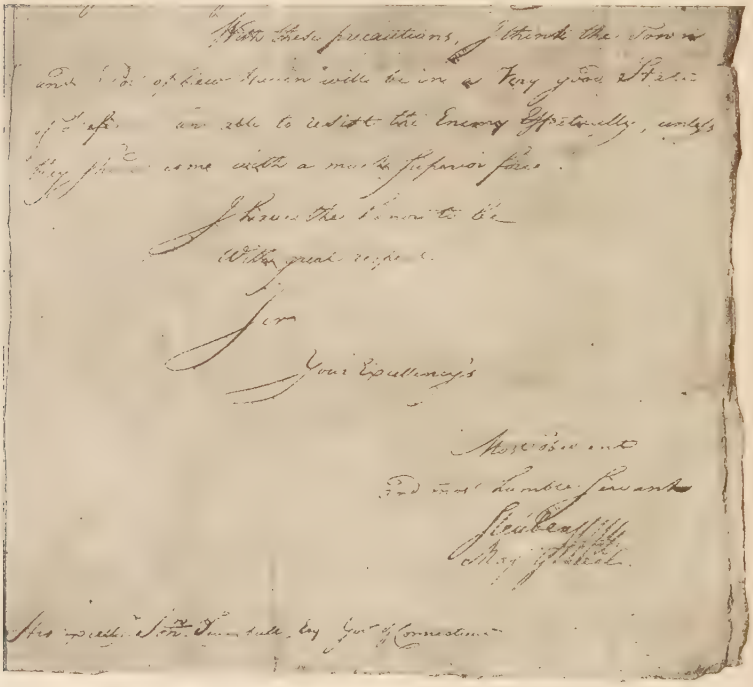
On the twenty-seventh of March, 1779, Washington wrote to George Mason: "I have seen without despondency even for a momt.—the hours which America have

A Gloomy Outlook

1779 stiled her gloomy ones, but I have beheld no day since the commencement of hostilities that I have thought her liberties in such eminent danger as at present. . . . Indeed we seem to be verging so fast to destruction that I am filled with sensations to which I have been a stranger till within these three months."

Washington's Description of the Situation

In other letters, Washington bitterly regretted the unpatriotic trading carried on by Americans with the enemy, the shameless stock-jobbing, extortion, forestalling, and other low arts and devices resorted to by speculators. "From what I have seen, heard, and in part know," he wrote, "I should in one word say that idleness, dissipation, and extravagance seem to have laid fast hold of most; that speculation, peculation, and an insatiable thirst for riches, seem to have got the better of almost every other consideration and almost every order of men; and that

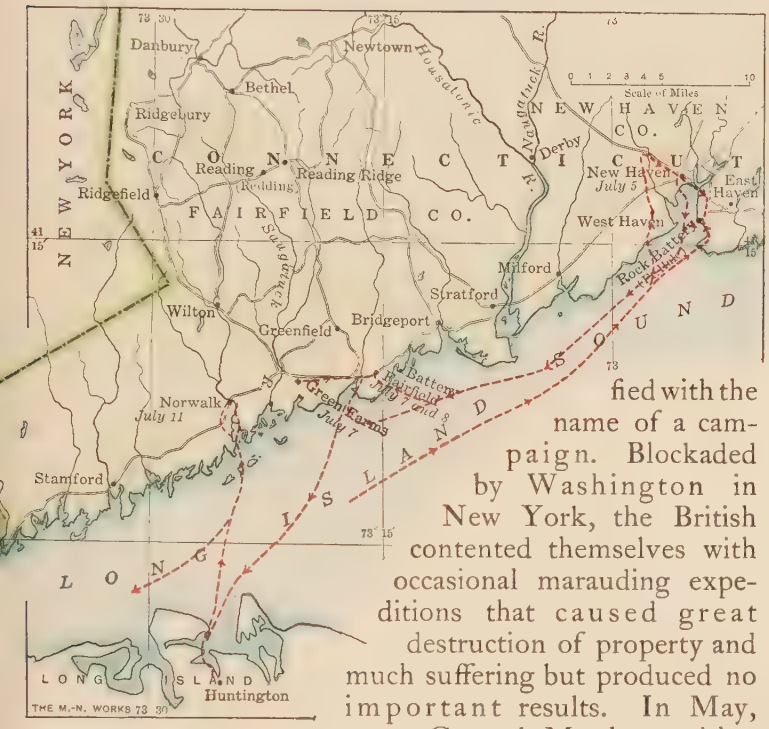


Portion of last page of Letter from Baron Steuben to Governor Jonathan Trumbull

party disputes and personal quarrels are the great business of the day." 1779

In the North, the military operations of 1779 and 1780 were hardly of sufficient importance to be dignified with the name of a campaign. Blockaded by Washington in New York, the British contented themselves with occasional marauding expeditions that caused great destruction of property and much suffering but produced no important results. In May, 1779, General Matthews with a force of about twenty-five hundred men laid waste Portsmouth and Norfolk in Virginia, destroyed more than a hundred vessels, and returned to New York with seventeen prizes and about three thousand hogsheads of tobacco. In July, General Tryon with about twenty-six hundred men and assisted by a fleet under Sir George Collier burned the ships in the harbor of New Haven and many warehouses in the town; he also burned Fairfield, Green Farms, and Norwalk, and then returned to New York.

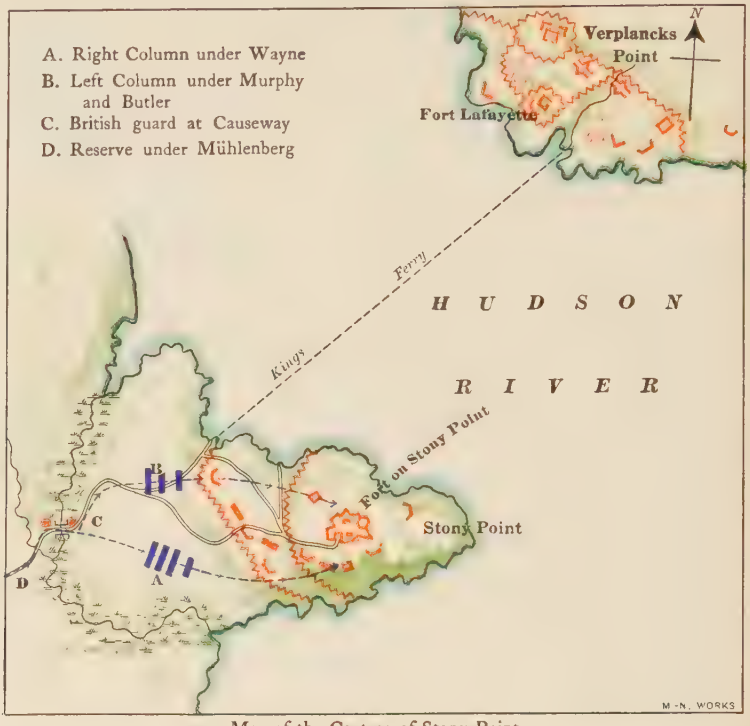
Fire and Sword



Map of Tryon's Raid into Connecticut in 1779

Some weeks before Tryon's raid into Connecticut, Sir Stony Point

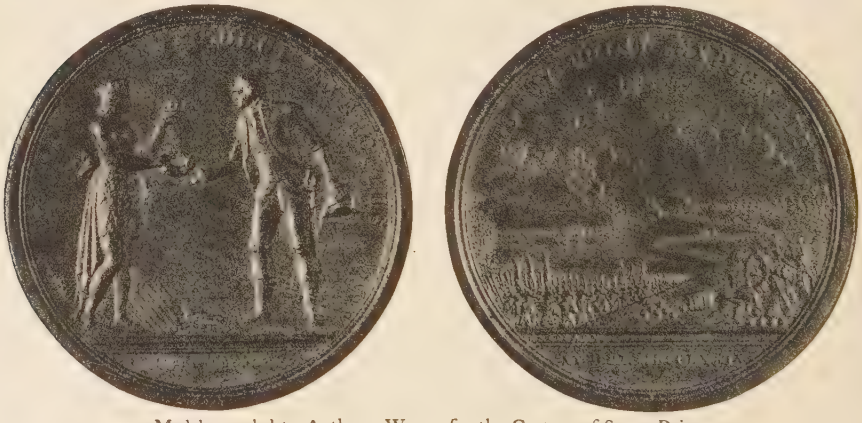
1779



Map of the Capture of Stony Point

May 31–June 1

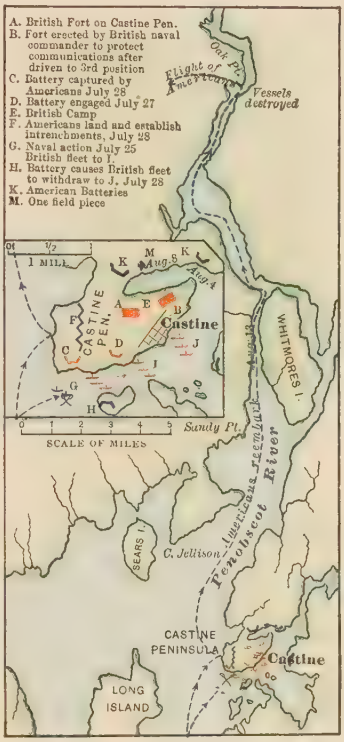
Henry Clinton had seized Verplanck Point and Stony Point, posts that defended the lower passage to the High-



Medal awarded to Anthony Wayne for the Capture of Stony Point

lands. Washington determined to retake Stony Point which had been strengthened by the British and contained a garrison of about six hundred men. Early in the morning of the sixteenth of July, General Wayne, with about twelve hundred light infantry, carried the fortress with the bayonet without firing a gun and with a loss of only ninety-eight in killed and wounded —one of the most brilliant exploits of the war. Clinton soon again ascended the river with a large force and the Americans evacuated Stony Point which was reoccupied by the British. In the same month, Massachusetts, with some assistance from congress and New Hampshire, sent an expedition against the British post at the site of Castine, Maine; August saw the total failure of the venture. On the night of the nineteenth of August, Major Henry Lee, "Light Horse Harry," stormed Paulus Hook where Jersey City now stands and killed or captured more than two hundred of the enemy. Washington's army spent the winter of 1779–80 at Morristown, fighting cold, nakedness, and famine as they had done at Valley Forge although there was an abundance of food in the country.

1779
1780


A. British Fort on Castine Pen.
B. Fort erected by British naval commander to protect communications after driven to 3rd position
C. Battery captured by Americans July 28
D. Battery engaged July 27
E. British Camp
F. Americans land and establish intrenchments, July 28
G. Naval action July 25 British fleet to I.
H. Battery causes British fleet to withdraw to J., July 28
K. American Batteries
M. One field piece
Flight of Americans
Vessels destroyed
Castine
CASTINE PEN.
WHITMORES I.
Sandy Pt.
SCALE OF MILES
Penobscot River
GEARS I.
C. Jellison
CASTINE PENINSULA
Castine
LONG ISLAND

Map of the Penobscot Expedition

Paulus Hook

The year 1780 was not marked by more important military operations in the North than 1779 had been. In the intervening winter, Sir Henry Clinton had sailed southward as related in the preceding chapter. On the sixth of June, Knyphausen crossed from Staten Island to New Jersey with about five thousand troops and, before

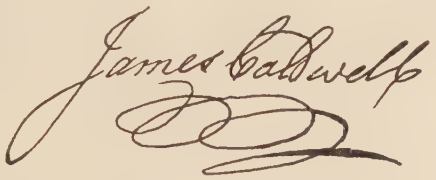
Knyphausen's Advance into New Jersey

1780 daylight, pushed on toward Elizabethtown. He had heard of the mutinous spirit bred by famine in the American army and had misinterpreted its meaning and probable effect. On the seven-mile march from Elizabethtown to Connecticut Farms, the New Jersey militia appeared as if by magic, single riflemen firing upon the British column from behind trees, thickets, fences, and houses, and inflicting serious loss. When Knyphausen was within half a mile of Springfield, he found that General Maxwell was on the bank of the Rahway, that Washington was posted in force at the Short Hills in the rear, and that the whole country was aroused. Night came on, dark and rainy, the village of Connecticut Farms, including church

"Camp Kettle of General Anthony Wayne, who inherited it from Susan Hubberd, grandmother of his wife. By bequest from Wayne it descended to his grand-niece, Mrs. Eli Lewis of Edgemont, Delaware Co., Penna., and she bequeathed it to Washington L. Atlee, M. D., who presented it to the Historical Society of Pennsylvania, November 10, 1873."

View of Paulus Hook
(Facsimile from a water color painted by a British officer during the Revolution. From a print supplied by Dr. Thomas Addis Emmet)

and parsonage, was burned, the wife of Chaplain Caldwell was killed, and, before morning, Knyphausen and his army were held back from Staten Island only by the fact that the tide was out and the shore covered with deep mud that the cavalry could not cross. That his precipitate retreat might not be represented as a flight, the British general decided to stay a few days longer in New Jersey and strengthened his position with intrenchments. 1780

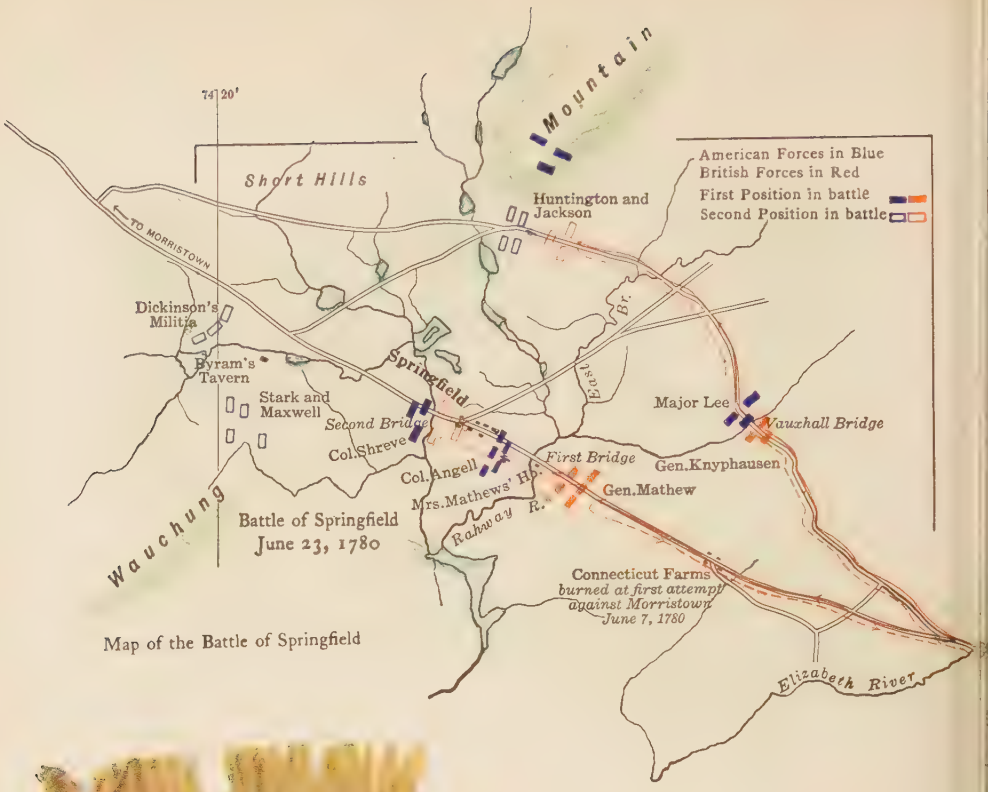


Autograph of the Reverend James Caldwell

The Battle of Springfield

Ten days later, Sir Henry Clinton arrived at Staten Island from the South and at once resolved to attack Washington at Morristown. On the twenty-third of June, the British army was advancing toward Morristown in two columns, one by the Vauxhall road, the other by the Springfield road; Clinton's whole force consisted of about five thousand infantry, with cavalry and eighteen pieces of artillery. At the first bridge on the Springfield road, Colonel Angell's Rhode Island regiment made a stout resistance but was forced back. At the second bridge, Angell's and Shreve's men made obstinate resistance, but were finally driven back upon the brigades of Stark and Maxwell. Irving tells us that no one showed more ardor in the fight than the lately bereaved Chaplain Caldwell who, when the soldiers were in want of wadding, distributed hymn-books and Watts's psalms with the pastoral injunc-

Flag of the Second Rhode Island Regiment
(Israel Angell was the only colonel it had)



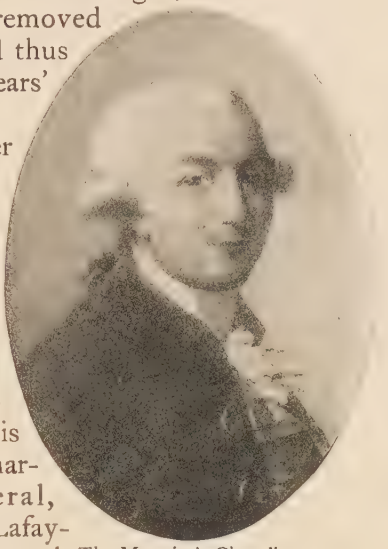
Map of the Battle of Springfield

Webb's Third Connecticut Regiment Flag used during the Revolutionary War

(Now owned by The Pennsylvania Society of Sons of the Revolution, by whose courteous permission it is reproduced in colors in facsimile of its present appearance)

tion, "Put Watts into them, boys." On the other road, the British were checked at the bridge by Major Lee's cavalry covered by Colonel Ogden's regiment. Greene, who was in command, soon found that he could not hold so long a line and took post on a range of hills in the rear of Byram's tavern where the two roads were nearer together so that aid could be sent from one to the other. He thus was able to detach Webb's regiment under Lieutenant-colonel Huntington, and Colonel Henry Jackson's regiment with one

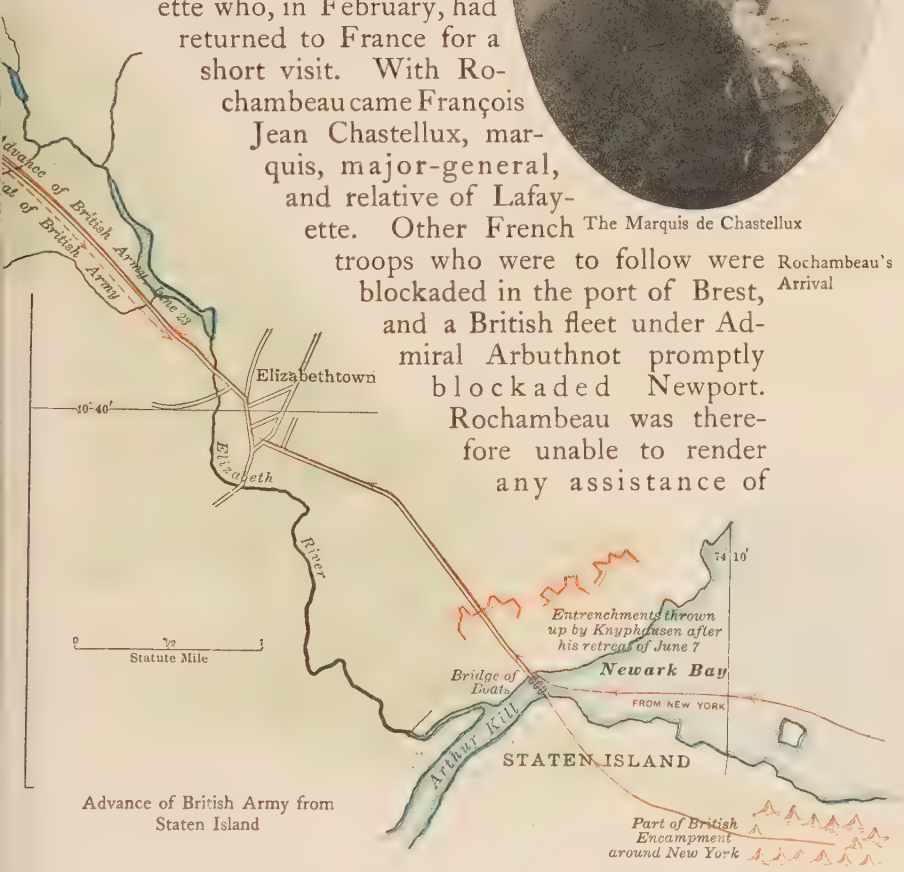
piece of artillery. The advance of the British was checked and Springfield was burned; at midnight, Clinton's army crossed to Staten Island, removed the bridge of boats behind them, and thus relieved New Jersey of her five years' warfare. 1780



The Marquis de Chastellux

In the following month, the chevalier de Ternay with a French fleet and the count de Rochambeau with about six thousand troops arrived at Newport. Fleet and troops had been sent largely through the efforts of Lafayette who, in February, had returned to France for a short visit. With Rochambeau came François Jean Chastellux, marquis, major-general, and relative of Lafayette. Other French troops who were to follow were blockaded in the port of Brest, and a British fleet under Admiral Arbuthnot promptly blockaded Newport. Rochambeau was therefore unable to render any assistance of

Rochambeau's Arrival



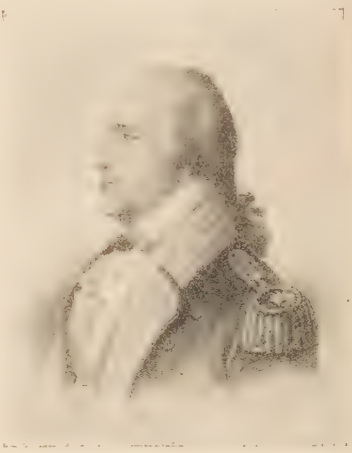
Advance of British Army from Staten Island

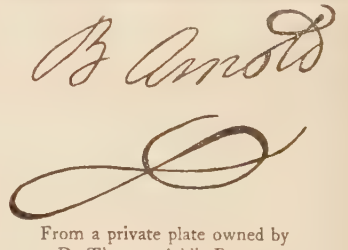
1780 importance that year. The blockade had its compensations for the cooped-up French gallants. According to the *Memoirs and Recollections* of the count de Segur, Newport "offered delightful circles composed of enlightened men, and of handsome women, whose talents heightened their personal attractions. All the French officers who knew them recollect the names and beauty of Miss Champlain, the two Misses Hunter," and of several others among whom he mentions Polly Lawton, a Quaker "nymph" and "a pious virgin" possessed of "the most graceful figure and the most beautiful form imaginable."

Polly Lawton

Rochambeau's Report

Rochambeau wrote to Vergennes: "Upon our arrival here, the country was in consternation. . . . I spoke to the principal persons of the place, and told them, as I write to General Washington, that this was merely the advanced guard of a greater force, and that the king is determined to support them with his whole power. In twenty-four hours their spirits rose, and last night all the streets, houses, and steeples were illuminated in the midst of fire-works and the greatest rejoicings. . . . Send us troops, ships, and money;





From a private plate owned by Dr. Thomas Addis Emmet

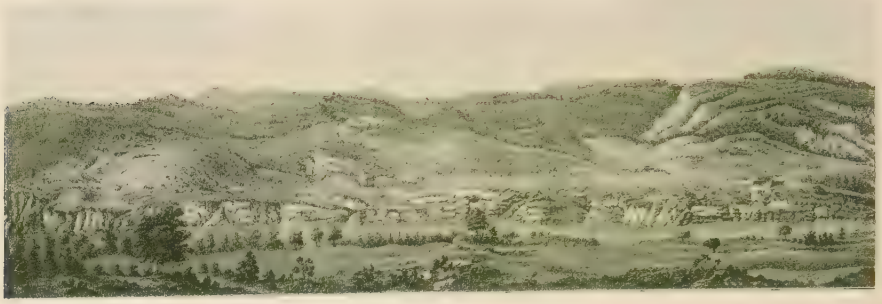
but do not depend upon these people, nor upon their means; they have neither money nor credit." As will be explained more fully in a later chapter, the continental credit was exhausted and the continental currency was worthless. "Throughout the land there was a weariness of war, a desire for peace at any price." At this, the moment of deepest gloom, when even Washington was trembling for the immediate future of America, came the startling news that Benedict Arnold had gone over to the enemy. 1778 1780

Arnold in Command at Philadelphia

Arnold's treason, in some respects the most dramatic and tragic event of the Revolution, presents a tempting study in psychology. To understand it we must know the man and find the causes that led him into treason. After the evacuation of Philadelphia, Arnold, unfit for active service by reason of the wound received at Saratoga, was placed in command of that city. He was a brave man and a superb soldier, but he was deficient in tact; the appointment was unfortunate. It brought him into direct contact with congress against which he had a grievance, and the command itself was difficult. He soon fell out with the state government and lost much of the personal credit with which he began.

Courtship, Marriage, and Extravagance

His unpopularity was increased by his associates and his manner of living. Soon after his arrival in the city, he became enamoured of Margaret Shippen, better known as "Peggy" Shippen, a young lady who had taken part with André in the Mischianza. Her father, Edward Shippen, a gentleman of rank and fortune, was regarded as a moderate loyalist; after the war, he became chief-justice of Pennsylvania. Miss Shippen was vivacious, tender-hearted, and pretty; even after the troubles of years, she was described by Colonel Tarleton as the most beautiful woman in England. Arnold was a widower of thirty-seven; she was not yet twenty. Naturally fond of ostentation, Arnold was incited to even greater extravagance by his desire to create a favorable impression upon Miss Shippen, her family, and friends. In September, 1778, he made a formal request for her hand, and, in



Drawn by Major L'Enfant, Engineer "A View of West Point on

1778 time, was accepted. "No doubt, the imagination of
1779 Miss Shippen was excited, and her heart captivated by the oft repeated stories of his gallant deeds, his feats of brilliant courage, and traits of generosity and kindness, such as his contributions towards the education of the orphan children of General Warren." In the following spring, he bought Mount Pleasant, a country place that John Adams described as "the most elegant seat in Pennsylvania;" two weeks later, he was married. In his new residence, he continued to give splendid entertainments that were costly beyond his means and involved him in debt. Then, too, congress refused to allow some of his claims on account of the northern campaign and thus completed his financial ruin.

March 22, 1779

Charges against Arnold

Irritated by the criticism to which he was subjected, Arnold had formed a plan of resigning from the army and building up in western New York an estate similar to General Schuyler's. The project was well under way and he had set out for New York to further the enterprise when, early in February, 1779, at Washington's camp on the Raritan, he heard that the executive council of Pennsylvania had sent to congress a list of charges and grievances against him. Being thus assailed, Arnold felt that he could not retire from the army until he had been vindicated.

Two Committees and a Court Martial

After investigating the charges, a congressional committee exculpated Arnold from all criminality and intentional wrong and reported that only two of the charges

Hudsons River," 1780 From facsimile in Boynton's *History of West Point*

were worthy of attention; on one occasion, Arnold had irregularly permitted a vessel to come into port and once he had used some Pennsylvania wagons for the transportation of private property. Arnold had enemies in congress and the president and executive council of Pennsylvania were virulently hostile. Congress referred the matter to a joint committee composed of some of its own members and the Pennsylvania council. This committee reported several resolutions intended to soothe Pennsylvania and recommended that four of the charges be referred to a court martial. In spite of Arnold's urgent entreaties, the court did not assemble until the nineteenth of December. Its verdict agreed with that returned by the first committee of congress in acquitting Arnold of all intentional wrong. It found, however, that Arnold had acted without authority in the matter of the ship and, as to the wagons, that he intended his application as a private request and had no design of employing them "otherwise than at his own private expense, nor of defrauding the public, nor of injuring or impeding the public service; but considering the delicacy attending the high station in which he acted, and that requests from him might operate as commands, the court were of opinion the request was imprudent and improper, and therefore ought not to have been made." 1779 1780 January 26, 1780

These were trivial charges on which to humiliate a soldier who before Quebec, off Valcour Island, and against Burgoyne had been the bravest of the brave, and Sentenced to be Reprimanded

1780 who now was and always would be a cripple from the wounds he had received. The times were unsettled, the limits of authority were not clearly fixed, and many a model officer had been guilty of irregularities far more serious. No turpitude had been proved against him. His brilliant exploits should have pleaded in his favor, secured indulgence, and mitigated personal animosity. But, "as a sort of lame concession to the Council of Pennsylvania," the court sentenced him to receive a reprimand from the commander-in-chief.

January 26

It Might Have Been

Washington turned the reprimand into an eulogy, but "the damage was done." Arnold had expected a full acquittal. Had he stifled his resentment and fought on, or had he resigned from the service and gone into private life, he would long since have been justified at the bar of history. But his wounds of body were painful, his disposition had been soured by disappointment, and he had many Tory friends. Marlborough and General Monck changed sides; why not I? The prospects of American success were gloomy and, if he could manage to restore British authority, there were few honors to which he might not aspire. A sense of injustice "rankled and irritated until it poisoned and prepared the way for the consummation of his crime."

House of Beverly Robinson

Villefranche's Plan of West Point

1780

A Treasonable Correspondence

It is probable that Arnold's first communications with the enemy were in the spring or summer of 1779 when he was vainly seeking a prompt trial. Which side made the first overtures is unknown. At this time, Arnold was merely playing with fire; had he been acquitted by the court he probably would not have been burned by the fire. After the trial, the correspondence was resumed. The letters were elaborately disguised and couched in well-understood commercial phrases. Arnold signed his letters "Gustavus," and Major John André, who acted for Sir Henry Clinton, used the pen-name "John Anderson." At first, Arnold seems to have thought merely of personal defection; then he decided to strike a heavier blow.

Arnold in Command at West Point

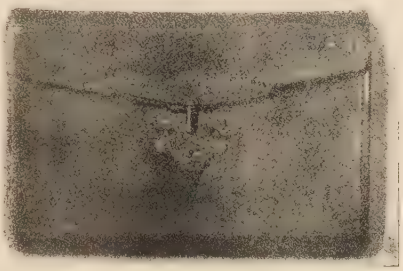
John André

With the British in possession of the Hudson, their line of communication between New York and Canada would have been open and New England would have been cut off from the rest of the country, death by decapitation. To prevent this, the Americans had strongly fortified the Highlands through which the river winds its narrow way and there had gathered large supplies. The works were considered impregnable to a force of twenty thousand men. The most important of these posts was West Point. In the summer of 1780, Arnold, with a purpose that was deliberately treasonable, sought and obtained from Washington the command of West Point

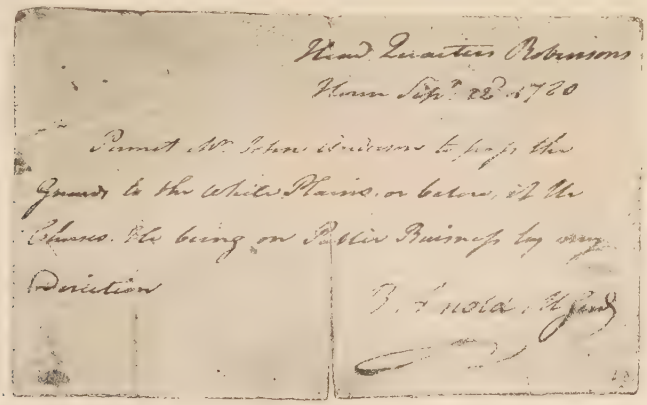
and its dependencies from Fishkill to Kings Ferry. In the first week of August, he took up his headquarters on the east bank of the river, at the confiscated house of Beverly Robinson, a Tory colonel. When Washington, accompanied by Lafayette, Hamilton, and others, arrived at Kings Ferry on his way from his headquarters at Tappan to meet Rochambeau at Hartford, Arnold was there with his barge to carry them across the river to Peekskill. The "Vulture," British sloop-of-war, lay at anchor within sight down the river. 1780

Arnold and André Meet

Clandestine letters were passed without difficulty, but there was a pending bargain, and a personal interview was desirable. At midnight of the twenty-first of September, Arnold and André met on the western shore of the Hudson, below Haverstraw. The negotiations had not been concluded at dawn of the



Major André's Pocket-book



Arnold's Pass to Major André

twenty-second and André reluctantly consented to ride to Joshua Hett Smith's house, a few miles further up the river. Clinton had instructed André not to go

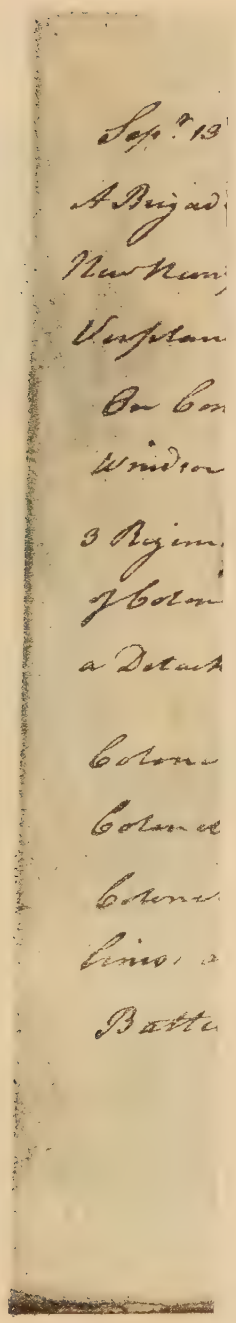
1780 within the American lines, not to lay off his uniform, and not to take any papers. But Smith's house was within the American lines. André had quitted the protection of the British flag and put his life in the keeping of his accomplice.

A Tedious Day for André

Arnold and André reached Smith's house at daybreak, just in time to hear the booming of the guns and to see the "Vulture" (from which André had come for the meeting) hoist her anchor and drop down the stream. In an upper room of Smith's house, the details of the conspiracy were agreed upon. About ten o'clock, Arnold returned to his headquarters, leaving for André a horse, a pass, and several other documents, most of them in his own handwriting. André took the papers

Medal awarded by Congress to Williams, Paulding, and Van Wart, for the Capture of André

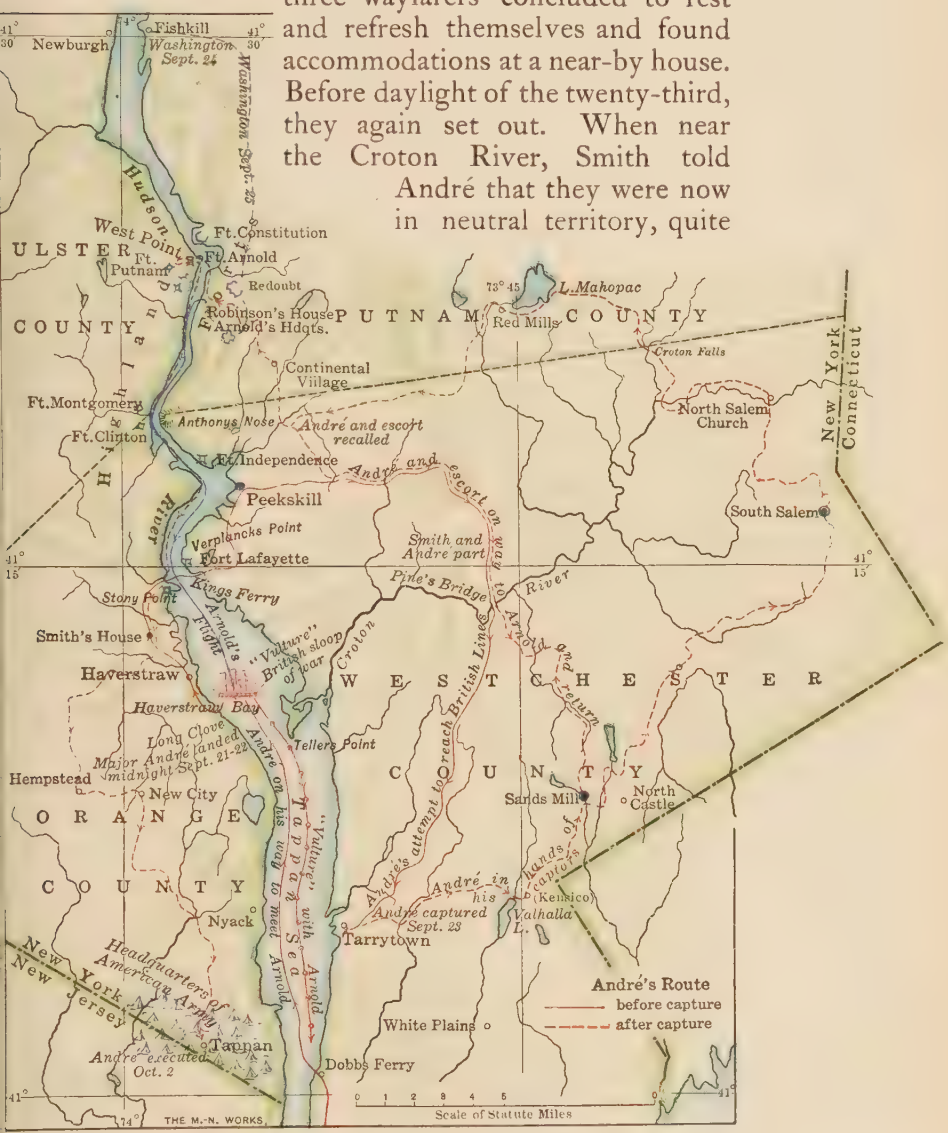
and put them under his foot, but inside his stocking—a second violation of Clinton's orders. At dusk, André and Smith and a negro servant set out by land and crossed the Hudson at Kings Ferry. André had exchanged his military coat for one of Smith's, a third and fatal violation of Sir Henry Clinton's orders. Soon they were hailed by a sentry, but, upon examination, Arnold's permit for "John Anderson to pass the guards to White



PAPE
(Dated Septem

Plains or below" was held to be all right. As they were informed that there were "cowboys" in the vicinity, the three wayfarers concluded to rest and refresh themselves and found accommodations at a near-by house. Before daylight of the twenty-third, they again set out. When near the Croton River, Smith told André that they were now in neutral territory, quite

1780



Map to Illustrate Arnold's Treason and André's Capture

1780 beyond the American lines and danger. He then turned back and reported to Arnold at his headquarters. To this day, there are doubts as to whether Smith was knave or dupe.

André's Arrest

After Smith's departure, André went on alone and with a light heart. Hoping to fall in with the "cowboys" that he heard were on the Tarrytown road, he turned from the direct way to White Plains and took the road that led toward the east bank of the Hudson. But this neutral zone between the Croton and the Spuyten Duyvil had its "skinners" or American prowlers, as well as its "cowboys" or Tory marauders. About nine o'clock, three of a band of "skinners," John Paulding, David Williams, and Isaac Van Wart, were playing cards behind the fence on the west side of the old Albany post-road where it crosses the creek that flows out of Sleepy Hollow. As André approached the little bridge, he was halted by the trio and searched. When his boot was taken off and the treasonable documents were found, Paulding exclaimed, "My God! he is a spy." In spite of his offers of bribes, André was conducted to North Castle and surrendered to Lieutenant-colonel Jameson who commanded there. Each of the captors received the thanks of congress, an annual pension of two hundred dollars, and a silver medal.

André's Execution

Jameson guilelessly sent the prisoner to the co-conspirator with a letter saying that the captured documents had been sent to Washington who was then on his way back from Connecticut. In the evening, Major Benjamin Tallmadge returned to camp and immediately recognized the monumental blunder of his superior officer. The prisoner was recalled, but the letter was delivered to Arnold who, without loss of time, escaped to the "Vulture." André was tried by court martial and sentenced to be hung as a spy; the finding of the

September 30 court was approved by the commander-in-chief. Washington could see no way to spare André other than to exchange him for Arnold, but Clinton's honor was at stake and the exchange could not be made. The

IN CONGRESS.

The DELEGATES of the UNITED STATES of *New-Hampſhire, Maſſachuſetts-Bay, Rhode-Iſland, Connecticut, New-York, New-Jerſey, Pennſylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia,* TO *Benjamin Tallmadge Esq*

WE, repoſing eſpecial Truſt and Confidence in your Patriotiſm, Valour, Conduct and Fidelity, DO, by theſe Preſents, conſtitute and appoint you to be *a Captain in the Regiment of Light Dragoons commanded by Lieutenant Colonel Sheldon*

in the Army of the United States, raiſed for the Defence of American Liberty, and for repelling every hoſtile Invaſion thereof. You are therefore carefully and diligently to diſcharge the Duty of *Captain* by doing and performing all manner of Things thereunto belonging. And we do ſtrictly charge and require all Officers and Soldiers under your Command, to be obedient to your Orders as *Captain*.

And you are to obſerve and follow ſuch Orders and Directions from Time to Time, as you ſhall receive from this or a future Congreſs of the United States, or Committee of Congreſs, for that purpoſe appointed, or Commander in Chief, for the Time being, of the Army of the United States, or any other your ſuperior Officer, according to the Rules and Dicipline of War, in Purſuance of the Truſt repoſed in you. This Commiſſion to continue in Force until revoked by this or a future Congreſs. DATED at *Philadelphia the fourteenth of December* A.D. 1776. *And of our Independency the Second.* By Order of the CONGRESS,

Attest. Chas Thomson Secry.

John Hancock PRESIDENT.

COMMISSION OF BENJAMIN TALLMADGE

(Signed by John Hancock, December [illegible], 1776. From original in collection of the Society of the

PORTRAITS OF THE TALLMADGE FAMILY

(Painted by Ralph Earle, 1790. Reproduced by courteous permission of the present owner, Mrs. Mary F. Seymour)

FLAG OF TALLMADGE'S DRAGOONS

(From original in possession of Mrs. J. H. Knox, Troy, New York, by courteous permission)

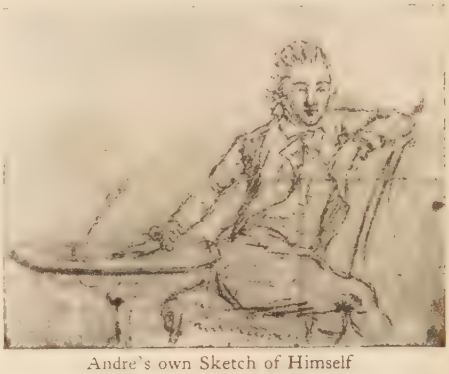
prisoner's youth and many admirable qualities made his fate especially sad, but the public welfare demanded the sacrifice. André displayed great fortitude at the execution which took place on the second of October on the hill near Tappan village. In Westminster Abbey is a mural monument "sacred to the memory of Major John André" and erected by order of "His gracious sovereign, King George III." In 1821, André's remains were removed thither. A plain monument now marks the spot where they first were buried. In 1749, the British parliament had enacted "that all spies, and persons whatsoever who shall come, or be found in the nature of spies, to bring any seducing letter or message from any enemy or rebel, or endeavor to corrupt any captain, officer or mariner . . . to betray his trust, on being convicted by a court-martial shall suffer death." And there was the memory of Nathan Hale. 1780

From an engraving in *Political Magazine*, March, 1781

Arnold in England

Arnold made good his escape and, though he came empty-handed, he received the promised reward, money and a brigadier-general's commission. He subsequently served against his countrymen in Virginia and Connecticut as will be mentioned in a later chapter. In December, 1781, he sailed for England where he was well received; the odium with which he was treated has been much exaggerated. A pension of five hundred pounds a year was granted to his wife and one of one hundred pounds to each of her children.

1780 Some of his sons rose to high rank in the British service and one died a lieutenant-general. Still, his later life was bitter. In comparative poverty, he died in London, in 1801. During these years, his wife remained devoted to him and he repaid her with an undivided affection. He rarely referred to his treason, but tradition says that when death drew near he called for his American uniform and the epaulets and sword-knot that Washington had given to him. "Let me die in my old American uniform, the uniform in which I fought my battles. May God forgive me for ever putting on any other!"



Andre's own Sketch of Himself

With Clearer Vision

Mrs. Benedict Arnold

For generations, the hatred of "the traitor Arnold" rendered it impossible for Americans to do justice to Arnold, the superb soldier. At Saratoga stands a tall obelisk with four arched niches in its sides. In one niche is the bronze effigy of Gates; in another, that of Schuyler; in the third, that of Morgan; the fourth is vacant—an emptiness that speaks eloquently of one who, but for one false step into which he was driven by hatred and injustice and his own moral weakness, would be regarded today as the greatest of the four.

1780 After the Play

General Greene assumed the command at West Point and Washington took post with his main army at Prakeness near Passaic Falls in New Jersey, whence, on the eighteenth of October, he issued a circular to the states describing the critical condition of the army "and how essential it is the States should make the most vigorous exertions to replace" as early as possible the men who would be discharged by the end of the year.

CHAPTER XI

ON THE SEA

Privateers

ENGLAND was easily the mistress of the sea. America had neither navy nor resources that would enable her to create a navy that could meet on equal terms that of England, but she had thousands of hardy seamen who gladly turned from commerce and the fisheries for the capture of English merchantmen and transports. Not all who were engaged in privateering were actuated primarily by patriotic motives. Credit must be given to them for distressing the enemy and for capturing supplies that were needed, but if congress got the goods it had to pay for them. It probably would be fair to say that the typical privateersman was a patriot engaged in business ventures; "New England, the home of the privateers, was never more prosperous than in the last years of the Revolution."

The Keel of the American Navy

The war had not been long in progress before congress took steps to create a regular navy as related in the preceding volume, and provided for the commissioning of privateers. Before the end of the war, almost every one of the thirteen war-ships ordered in December, 1775, had been captured or burned to avoid capture and others were bought or built to take their places. Not including the vessels employed by Washington in the siege of Boston or Arnold's fleet on Lake Champlain, the American navy of the Revolution consisted of fifty-six armed vessels, with an average of twenty guns each. The largest number

employed at any one time was twenty-seven in the fall of 1776. 1775–1783

The want of efficient armament, naval stores, and provisions was serious, but the chief obstacle to the success of the little continental navy was the lack of sailors. The proportion of seafaring population was far greater than it is now, but patriotism was not universal, the pay was small, and above all else, there were "the seductive allurements of privateering." Vessels that ought to have been manned with full crews of able seamen frequently went to sea with weak crews composed of deserters, foreigners, and a few Americans. The frigate "Alliance," while on her way to France with Lafayette, carried seventy or eighty British sailors who planned to seize and carry her into a British port and, when the "Bon Homme Richard" fought the "Serapis," she was a veritable Babel of tongues. The Men Behind the Guns

At the end of 1775, a squadron of eight small cruisers was gathered at Philadelphia. Late in December or early in January, Esek Hopkins, the commander-in-chief of the navy, went on board his flag-ship, the "Alfred," and, at a signal from Captain Dudley Saltonstall, Lieutenant John Paul Jones hoisted the first flag that ever floated over a regularly commissioned American man-of-war. Early in March, Hopkins captured Nassau in the Bahamas, took more than a hundred cannons and a large quantity of military stores, and carried off the governor. On his way homeward, he took two small prizes, but, after a severe fight with the twenty-gun ship "Glasgow," allowed her to escape from his fleet. For this failure and other causes, Hopkins fell into disgrace, was suspended from his command, and was ultimately dismissed from the service. For the remainder of the war, the American navy was without a commander-in-chief. The Cruise of "Commodore" Hopkins

May 1, 1777
January 2, 1778

With the exception of New Jersey and Delaware, each of the thirteen states owned one or more armed vessels. Most of these vessels were small craft suited for defending shallow rivers, bays, and harbors; though none of them performed any great exploit, they rendered impor- State Navies

1777 tant service. Connecticut had a submarine vessel, a tortoise-shaped boat that could be propelled under water and contained enough air to allow the operator to remain submerged about half an hour. In 1777, the submarine was sent against a British war-ship in New York harbor. The "American Turtle" got under the British vessel, but the operator was unable properly to attach his magazine of powder and the attempt failed.

Captain Wickes in European Waters

The first continental cruiser to appear in European waters was the "Reprisal," sixteen guns, Captain Lambert Wickes. In the fall of 1776, she was sent to carry Franklin to France; on the way, Wickes captured two prizes which he brought into port. The "Reprisal" then cruised in the Bay of Biscay and captured two more prizes, one being the king's packet plying between Falmouth and Lisbon. When these prizes were brought into Nantes, the British agents remonstrated so vehemently that the vessels were taken into the offing and secretly sold to French merchants; France was still under strict treaty obligation to England. In April, 1777, the "Reprisal" was joined by the "Lexington." Then the "Dolphin," a cutter of ten guns, was purchased and fitted out by the American agents. In June, 1777, Wickes cruised with these vessels in the Bay of Biscay and made two circuits of Ireland, capturing or destroying seventeen or eighteen vessels. These operations deterred English merchants from shipping goods in English bottoms; in a few weeks, forty French ships were loading in the Thames, a thing never before known. England protested so vigorously that the French government seized the "Reprisal" and the "Lexington" and held them until security was given that they would leave France which they did in September. The "Lexington" was captured by a British cruiser and the "Reprisal" foundered off Newfoundland.

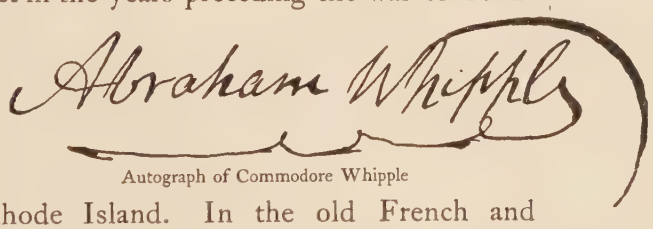
Captain Conyngham

Meanwhile, the American agents had bought a lugger at Dover and brought her over to Dunkirk where she was equipped, named the "Surprise," and put in charge of Captain Gustavus Conyngham. With a nondescript

crew, Conyngham sailed from Dunkirk early in May, 1777, and soon returned with two prizes. Under pressure from the English ambassador, France gave up the prizes and seized the "Surprise" and her crew. "With some address and intrigue" on the part of Deane and his associates, Conyngham and his men were soon released; in July, they sailed in another cutter called the "Revenge." Their "trading voyage" led them directly toward the British coast and, for several months, the "Revenge" was a terror to English shipping. When English vessels were no longer safe in the English Channel, Englishmen were almost prepared for the abduction of London Tower. On one occasion, Conyngham in disguise sailed into an English port, secured the supplies he wanted, and escaped in safety. He sailed for America and was captured in the following year. The protests of congress saved his neck and he finally broke prison and escaped. 1776 1778

French Complicity

These exploits, comparable to those of the Confederate cruiser "Alabama" in 1862–64, were rendered possible by the neglect of France to enforce the neutrality laws. Although that government occasionally remonstrated and made a show of heeding British protests, the American agents suffered little serious opposition. Vessels were bought and armed, crews were enlisted, officers were provided with commissions brought over in blank from America for the purpose, and prizes found a ready market. The remembrance of what she suffered at this time may have led England to excuse herself for her arbitrary conduct in the years preceding the war of 1812.



Autograph of Commodore Whipple

Abraham Whipple

Among the many enterprising Revolutionary seamen, was Abraham Whipple of Rhode Island. In the old French and Indian war he had commanded a privateer and captured twenty-three French vessels in a single cruise; in 1772,

1775 he took and burned the "Gaspee" in Narragansett Bay;
1778 and, in 1775, he was made commodore of the Rhode Island navy. In the summer of 1779, in command of the light frigate "Providence," he fell in with a large convoy of merchantmen on their way from Jamaica to England. Whipple concealed the character of his ship, boldly entered the fleet as one of their number, and, in the night of each of ten successive days, boarded and captured one of the convoy. Eight of the prizes thus taken arrived safely at Boston where they were sold for more than a million dollars.

John Paul Jones

In the December following Conyngham's departure for America, John Paul Jones arrived in Nantes with the "Ranger," eighteen guns. The son of a master gardener named John Paul, he was born in 1747 on the estate of Arbigland in southwestern Scotland. At the age of twelve, he was apprenticed to a merchant at Whitehaven and made a voyage to Virginia where his elder brother was established as a planter. He subsequently made several voyages to the West Indies and, when his brother died in 1773, took charge of his Virginia estate and, for some reason, added "Jones" to his name. In 1775, as already related, he was appointed senior first lieutenant in the American navy. He accompanied Hopkins on his cruise to the Bahamas and, in May, 1776, was given command of the sloop "Providence" with which he captured sixteen prizes. Later in the same year, with the

Birthplace of John Paul Jones

IN CONGRESS. 1777 1778

The DELEGATES of the UNITED STATES of *New Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina,* and *Georgia, TO*

John Paul Jones, Esquire,

WE, reposing especial Trust and Confidence in your Patriotism, Valour, Conduct, and Fidelity, DO, by these Presents, constitute and appoint you to be *Captain* ~~of the armed~~ ~~called the~~ *Navy* in the ~~Service~~ of the United States of North-America, fitted out for the Defence of American Liberty, and for repelling every hostile Invasion thereof. You are therefore carefully and diligently to discharge the Duty of *Captain* by doing and performing all manner of Things thereunto belonging. And we do strictly charge and require all Officers, Marines and Seamen under your Command, to be obedient to your Orders as *Captain* And you are to observe and follow such Orders and Directions from Time to Time as you shall receive from this or a future Congress of the United States, or Committee of Congress for that Purpose appointed, or Commander in Chief for the Time being of the Navy of the United States, or any other your superior Officer, according to the Rules and Discipline of War, the Usage of the Sea, and the Instructions herewith given you, in Pursuance of the Trust reposed in you. This Commission to continue in Force until revoked by this or a future Congress.

DATED at *Philadelphia Octbr 10th 1776.*

By Order of the CONGRESS,

ATTEST *Chas Thomson jun'y* *John Hancock* PRESIDENT.

Facsimile of Jones's Commission as Captain

"Providence" and the "Alfred," he took many prizes including the ship "Mellish" laden with stores for Carleton's army. In June, 1777, being then a captain, he was given command of the "Ranger" and hoisted over her the first "Stars and Stripes" ever raised over an American warship. After his arrival in France, he obtained from a French admiral the first salute ever given to that flag by the representative of a foreign power; the ink had hardly had

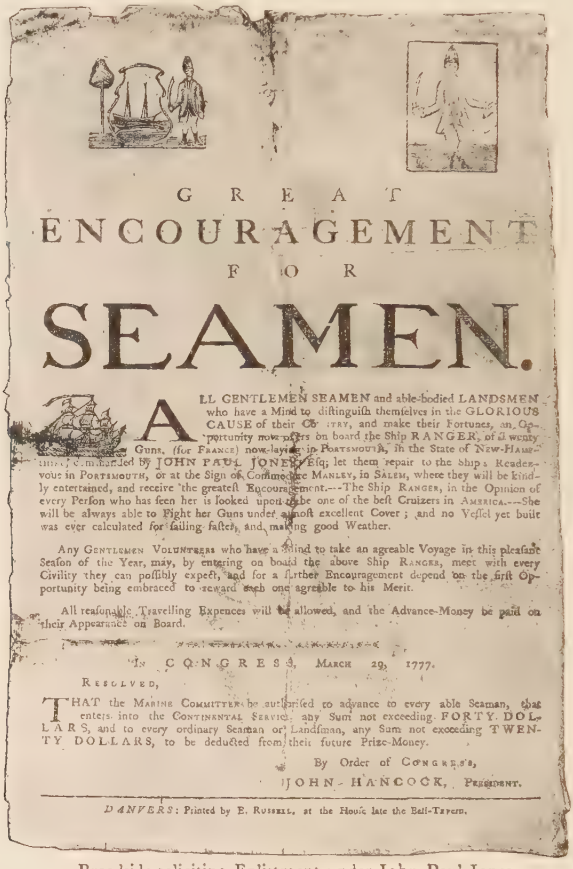
The "Stars and Stripes" of the "Bon Homme Richard"

February 14, 1778

1778 time to dry on the Franco-American treaties of commerce
1779 and alliance.

Warming Up

On the tenth of April, 1778, Jones sailed from Brest for a cruise in familiar waters. He took numerous prizes and made a night entrance into the harbor of Whitehaven. On the following night, he tried to abduct the earl of Selkirk from his country seat on the River Dee, but found that his lordship was not at home. On the evening of the twenty-fourth, he captured the sloop-of-war "Drake," twenty guns, and, with her, two other prizes, and many prisoners, arrived safely at Brest. By this time, Jones felt that he ought to have a squadron that would enable him to inflict serious injury upon the enemy.



GREAT
ENCOURAGEMENT
FOR
SEAMEN.

ALL GENTLEMEN SEAMEN and able-bodied LANDSMEN who have a Mind to diſtinguiſh themſelves in the GLORIOUS CAUSE of their Country, and make their Fortunes, an Opportunity now offers on board the Ship RANGER, of twenty Guns, (for FRANCE) now laying in PORTSMOUTH, in the State of NEW-HAMPSHIRE; Commanded by JOHN PAUL JONES, Eſq; let them repair to the ſhip's Rendezvous in PORTSMOUTH, or at the Sign of Commodore MANLEY, in SALEM, where they will be kindly entertained, and receive the greateſt Encouragement.---The Ship RANGER, in the Opinion of every Perſon who has ſeen her is looked upon to be one of the beſt Cruizers in AMERICA.---She will be always able to Fight her Guns under almoſt excellent Cover; and no Veſſel yet built was ever calculated for ſailing faſter, and making good Weather.

Any GENTLEMEN VOLUNTEERS who have a Mind to take an agreable Voyage in this pleaſant Seaſon of the Year, may, by entering on board the above Ship RANGER, meet with every Civility they can poſſibly expect, and for a further Encouragement depend on the firſt Opportunity being embraced to reward each one agreable to his Merit.

All reaſonable Travelling Expences will be allowed, and the Advance-Money be paid on their Appearance on Board.

IN CONGRESS, MARCH 29, 1777.

RESOLVED,

THAT the MARINE COMMITTEE be authoriſed to advance to every able Seaman, that enters into the CONTINENTAL SERVICE, any Sum not exceeding FORTY DOLLARS, and to every ordinary Seaman or Landſman, any Sum not exceeding TWENTY DOLLARS, to be deducted from their future Prize-Money.

By Order of CONGRESS,
JOHN HANCOCK, PRESIDENT.

DANVERS: Printed by E. RUSSELL, at the House late the Bell-Tavern.

Broadside soliciting Enlistment under John Paul Jones

May 8

Jones Gets a Squadron February 4, 1779

After vexatious delays and tedious negotiations, the French government purchased an old Indiaman and gave the command to Jones. Jones renamed her the

"Bon Homme Richard," a compliment to Franklin, and, with almost ruinous haste, transformed her into a two-decked frigate carrying twenty-eight 12-pounders, eight 9-pounders, and six old 18-pounders. The thirty-six gun frigate "Alliance," the "Pallas" of thirty guns, the brig "Vengeance" of twelve guns, and the cutter "Cerf" of eighteen guns were also put under his command. All of their officers carried American commissions, all of the

1779

Map of the Movements of the "Ranger"

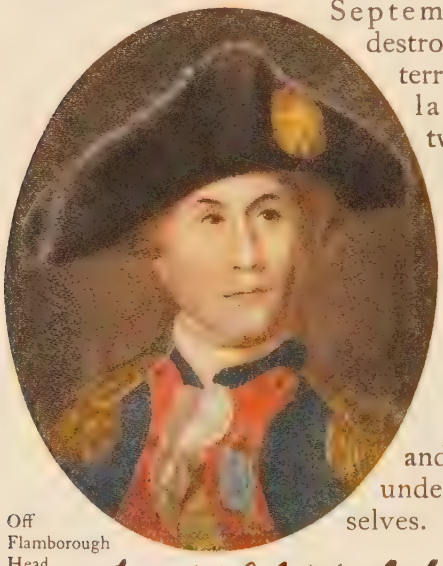
ships bore the American colors, and, excepting the "Alliance," all were provided at the king's expense. Jones and most of the officers of the "Bon Homme Richard" were Americans, nominally at least; Landais of the "Alliance" and the other captains were French. The crews were made up of all nationalities. The muster-roll of the "Bon Homme Richard" showed that her "men hailed from America, France, Italy, Ireland, Germany, Scotland, Sweden, Switzerland, England, Spain, India,

1779 Norway, Portugal, Fayal, and Malaisia, while there were seven Maltese, and the knight of the ship's galley was from Africa."

The Cruise of the "Bon Homme Richard"

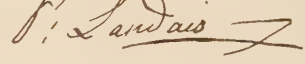
On the fourteenth of August, the squadron put to sea accompanied by two French privateers. The privateers and the "Cerf" soon left the squadron and did not come back. Taking occasional prizes, Jones sailed up the west coast of Ireland and came down the east coast of Scotland to beard the lion in his den. A daring scheme to seize the shipping at Leith, the port of Edinburgh, and to exact a ransom was frustrated by a gale that drove the squadron out of the Firth of Forth. By the middle of September, Jones had captured or destroyed twenty-six vessels and spread terror along the east coast of Scotland and England. On the twenty-third of September, off Flamborough Head, he sighted a fleet of forty British merchantmen under convoy of the "Countess of Scarborough" of twenty-eight guns, and of the "Serapis," rated at forty-four but mounting fifty guns and commanded by Captain Richard Pearson.

September 17



Off Flamborough Head

Jones gave the signal for a chase and Pearson signaled for the ships under convoy to take care of themselves. Most of the merchantmen ran in shore and anchored under cover of the guns of Scarborough castle. Landais, the French captain of the "Alliance," who had been insubordinate throughout the cruise, made little or no effort to obey Jones's signals and called out to Captain Cottineau of the "Pallas" that, if the fleet was convoyed by a vessel of more than fifty guns, they must run away.



Autograph of Peter Landais

(Compiled by Mrs. Annie H. Eastman, assistant to the Librarian in the Naval War Records Library, Washington, D. C., by careful investigation of original sources and material, including parts of the log of the "Bon Homme Richard")

But Cottineau obeyed Jones's orders and the "Pallas" engaged the "Countess of Scarborough." The issue of their action was far more satisfactory than any account of the conflict that has come down to us. 1779

Sir Richard Pearson

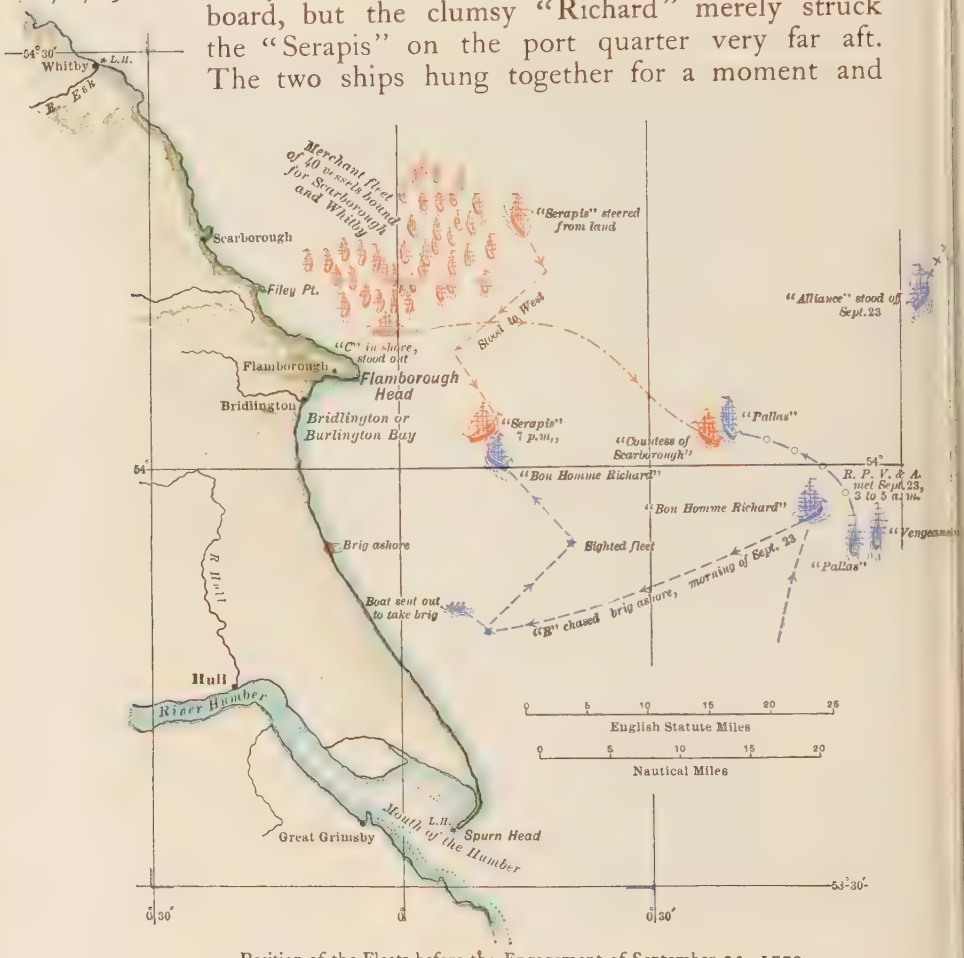
The Contestants

At about half-past seven in the evening, the "Richard" came within pistol shot of the "Serapis." The latter was a staunch new vessel built for war, her guns were trustworthy, and her crew was homogeneous; the "Richard" was a weather-worn merchant ship, some of her guns were old and condemned, and her crew had been gathered from the corners of the earth. But Captain Richard Pearson was not Captain John Paul Jones. The water was smooth; the wind was light; the weather was delightful; and the moon was at its full. Flamborough Head was less than a league away and the piers at Scarborough were crowded with spectators.

The Beginning of the Fight

At the first exchange of broadsides, two of the old 18-pounders on the improvised lower deck of the "Richard" burst, killing and wounding most of the men who managed them. The men at the other guns on that deck soon went to the upper deck and the lower ports were closed. It was not a promising beginning of the duel. Finding that his vessel was being badly cut up by

1779 the enemy's superior fire, Jones attempted to close and board, but the clumsy "Richard" merely struck the "Serapis" on the port quarter very far aft. The two ships hung together for a moment and



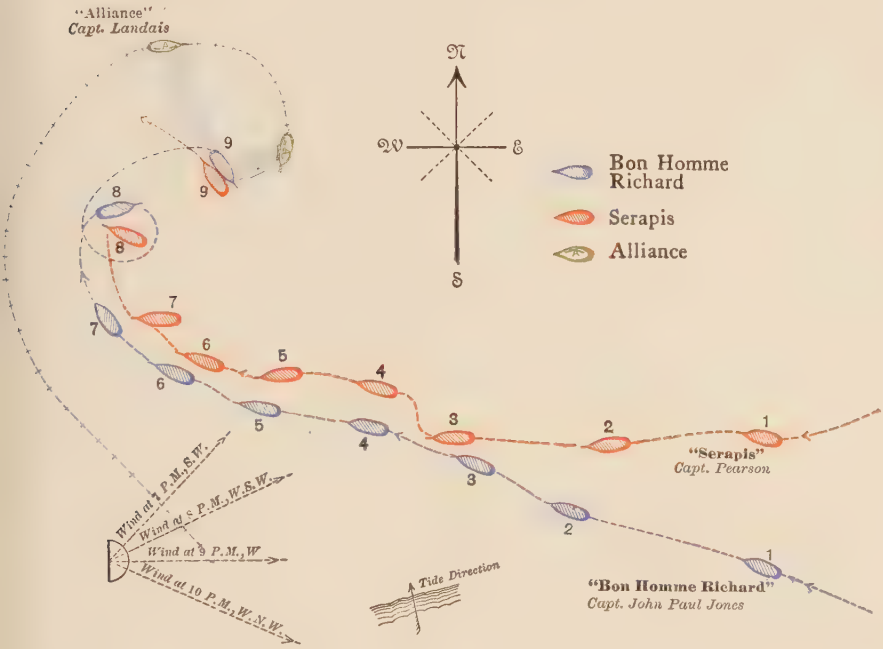
Position of the Fleets before the Engagement of September 23, 1779

then separated. Presumably it was then that Captain Pearson hailed the "Richard" and asked if she had struck. "I have not yet begun to fight!" was Jones's celebrated answer.

The Fight

The action was at once renewed. The ships again came foul and Jones, with his own hands, quickly lashed the two together. Pearson cast anchor, hoping that the

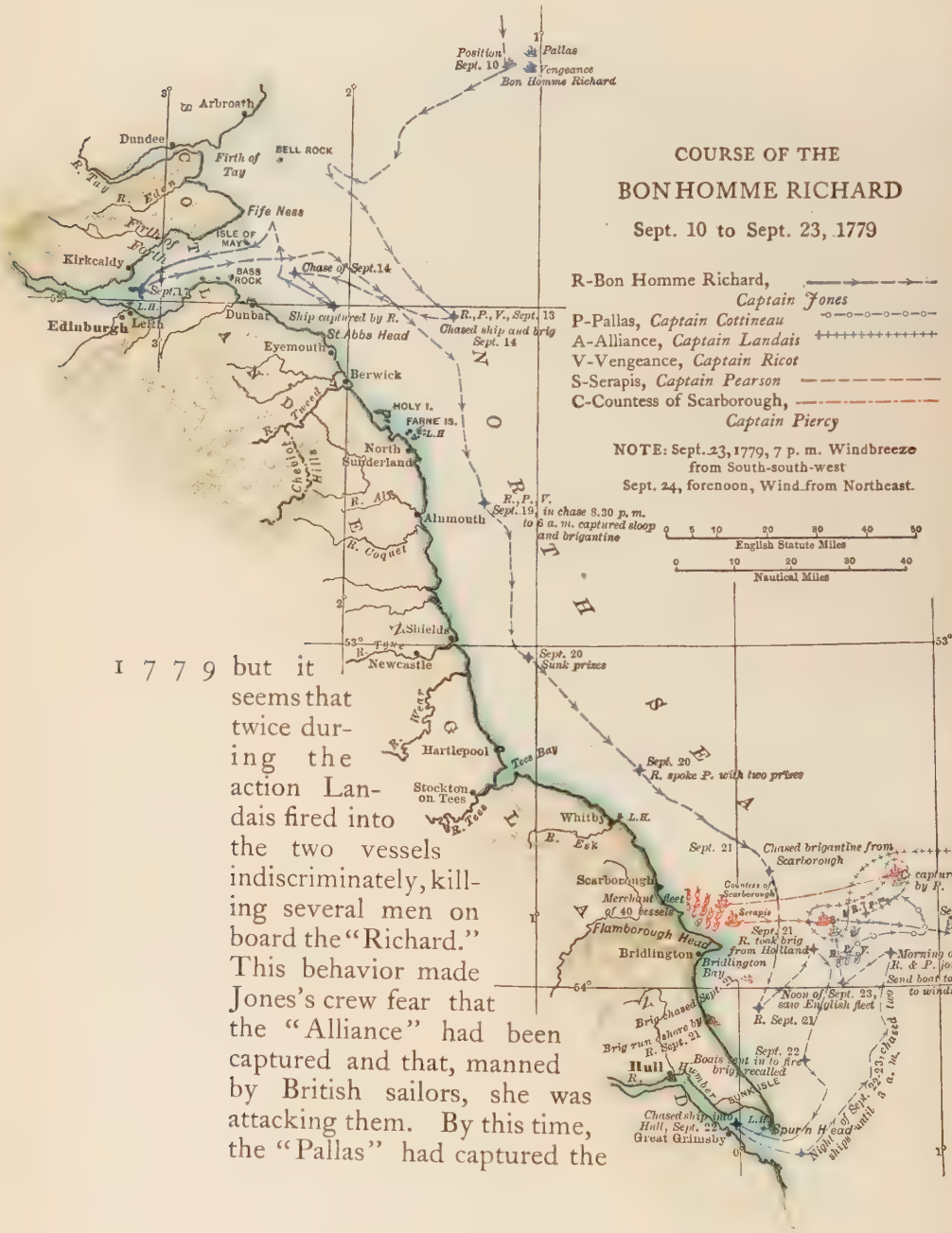
"Richard" would drift away, but the vessels swung together, head and stern, with their sides touching. The ships were so close together that the closed ports midship the "Serapis" could not be opened and the gunners there "fired their first shots through their own port-lids and blew them off." The guns of either ship were fired into the starboard ports or through the sides of the other. Men fought with pikes and pistols 1779



The Engagement, September 23, 1779

through the open ports, and hand-grenades were dropped from the yards of the "Richard" upon the deck of the "Serapis." The fire of the "Serapis" silenced the main-deck battery of the "Richard," but Jones kept on fighting with his 9-pounders which he helped to serve with his own hands and, with the assistance of musketry in the tops, raked the deck of the enemy fore and aft.

Meanwhile, the "Alliance" had been acting in an extraordinary manner. The facts are not entirely clear, Captain Landais

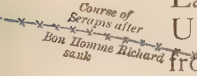


1779 but it seems that twice during the action Landais fired into the two vessels indiscriminately, killing several men on board the "Richard." This behavior made Jones's crew fear that the "Alliance" had been captured and that, manned by British sailors, she was attacking them. By this time, the "Pallas" had captured the

"Countess," and Cottineau asked Landais to take charge of his prize and allow him to go to the relief of Jones—a service that the latter declined. Some have thought that 1779

"The memorable Engagement of Captn. Pearson of the SERAPIS, with Paul Jones of the Bon Homme Richard & his Squadron, Sep. 23. 1779."
(Reproduced from a copper-plate engraving, measuring 17½ by 23 inches, engraved by John Boydell in 1780. It was dedicated to "Sir Richard Pearson Knt. whose Bravery & Conduct saved the Baltic Fleet, under his Convoy, tho' obliged to submit to a much superior force.")

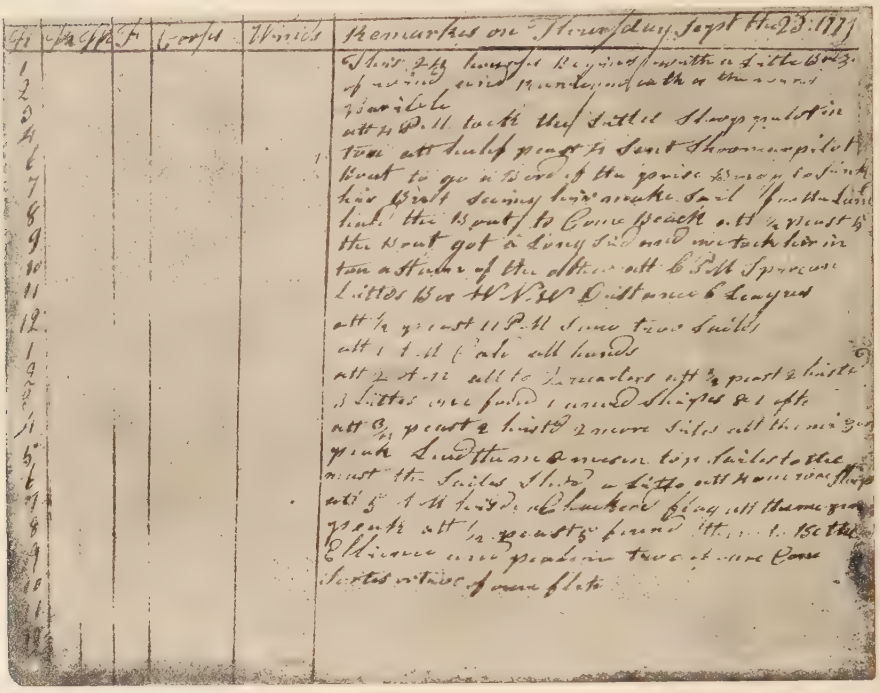
Landais wished the "Richard" to be captured in order that he might gain the honor of taking both vessels, but Admiral Mahan is of the opinion that the strange behavior was due to physical or professional timidity. Landais appears to have been partially insane. Upon his return to America, he was dismissed from the service.



The Man with a Grenade

After two hours of desperate fighting, one of the men in the "Richard's" tops worked his way out to the end of the main-yard with a bucket of hand-grenades, lighted them one by one, and coolly dropped them down upon the deck of the enemy. In the middle of the lower deck

1779 of the "Serapis" a row of 18-pounder cartridges had been piled. One of the grenades, dropped through the main hatchway, fired one of these cartridges and a flash followed the train each way through the ship. The explosion was



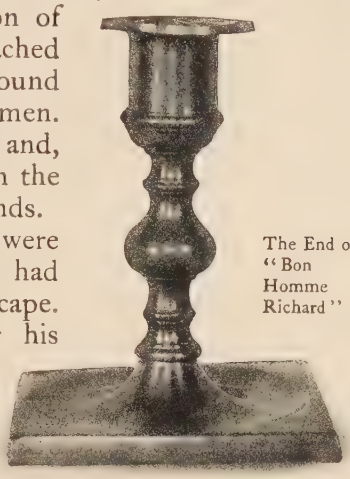
A Page from the Log of the "Bon Homme Richard"

terrific. More than twenty men were blown to pieces and many more were badly burned and wounded. This demoralized all the crew in that part of the vessel, disabled the main battery, and proved to be the crisis of the action.

The "Serapis" Surrenders

Meanwhile, the situation on the "Richard" was frightful. The ship was on fire, there was six feet of water in the hold, and the cry arose that the vessel was sinking. The master-at-arms, believing that all was lost, released more than a hundred prisoners some of whom scrambled through the ports, gained footing on the "Serapis," and assured Captain Pearson that, if he could keep up the fighting a few

minutes more, the "Richard" would be his. But the remaining prisoners were convinced by Lieutenant Richard Dale that both ships were sinking; impelled by fear and threats, they worked at the pumps like madmen instead of making further trouble. According to some accounts, Pearson again asked Jones if he had struck and, when he got no answer, called for boarders. But Jones had no notion of surrender and, when the boarders reached the deck of the "Richard," they found Jones with a pike at the head of his men. The boarding party was driven back and, at half-past ten, Pearson pulled down the flag of the "Serapis" with his own hands. 1779



The End of "Bon Homme Richard"

Brass Candlestick saved from the sinking Wreck of the "Bon Homme Richard" after her Engagement with the "Serapis"

Although both British vessels were captured, the brave resistance they had made enabled the convoy to escape. Captain Pearson was knighted for his gallantry—a circumstance that, tradition says, led Jones to remark: "He deserved it, and if I fall in with him again, I'll make a lord of him." The "Richard" was so badly injured that it was impossible to take her into port. Her crew and the prisoners were transferred to the other vessels and, on the morning of the twenty-fifth, the decayed and riddled hulk went to the bottom. With the prizes and his remaining vessels, Jones arrived at the Texel in safety. The British remonstrated mightily against his presence and Jones turned all the vessels over to France with the exception of the "Alliance" in which he went again to sea in order to relieve the embarrassment of the Dutch government. October 3

Jones's Later Life and Death

On one side of the Channel, it was "the pirate Jones;" on the other side, Jones was a hero. The king of France gave him a gold-mounted sword and asked the consent of congress to decorate him with the Order of Military Merit. Somewhat tardily, congress voted him

1779 1906

its thanks and a gold medal. This was, however, Jones's last important service. Later in the war, he was assigned to command the line-of-battle ship "America," but the ship was not finished until the close of hostilities and then was given to France. In 1788, he entered the Russian service as a rear-admiral and fought against the Turks, but, through the intrigues of enemies, he soon fell into disfavor at court and was relieved of his command. He died at Paris in July, 1792. After a long search, his remains were discovered in 1905 and brought to the United States where, with elaborate commemorative exercises, they were reinterred at the naval academy at Annapolis.

April 24, 1906

The Ubiquitous Privateer

Sword presented to Jones by Louis XVI.

The fight between the "Serapis" and the "Richard" was the last important action between British and American ships during the war. Little was left of the American navy and France relieved congress of

Medal awarded to Jones by Congress

the "expensive necessity of meeting at sea the greatest naval power in the world." American privateers, however, continued as ubiquitous as ever. In the one month of May, 1779, eighteen prizes were brought into New London and the admiralty courts were kept in busy operation. The total number of vessels and men engaged in privateering can never be known. Edward Everett Hale estimates that more than five hundred privateers were commissioned by the several states and thinks it probable that Great Britain "often had more American enemies afloat on the Atlantic than she had seamen and officers of her own upon that ocean." 1779

CHAPTER XII

EUROPEAN COMPLICATIONS—THE ARMED NEUTRALITY

Florida Blanca

SPAIN entered the war in 1779. The decisive step followed long negotiation and much hesitation. Spain hated England, but she feared the effect of the success of the United States upon her own American possessions, a fear that time has justified. Florida Blanca, the Spanish secretary of state, had characterized the Franco-American treaty of alliance as "worthy of Don Quixote" and proposed an alliance on the terms that Spain should receive Florida, the eastern valley of the Mississippi, the exclusive navigation of that river, and that, at the peace, New York and Rhode Island should be left in British hands, "thus sowing seeds of future strife between England and America."

Vergennes

Vergennes

Vergennes stood firm in a diplomatic loyalty to his pledges to America, but said that France was far from desiring the United States to control the whole continent. He hoped for several confederations in America—not one.

Canada must remain with England and, if Spain could get Florida, America would not be formidable, especially if Spain seized the opportunity to conquer the lands east of the Mississippi. He even went so far as to urge upon congress the desirability of placating Spain by letting her have the western lands, giving warning through Gerard at Philadelphia that France would not prolong the war to procure them for America and declaring that if the French monarch had to choose between a Spanish and an American alliance, he would take the former. 1779

France and Spain in Alliance April 12

Spain's treaty of alliance with France provided for an invasion of England or Ireland. France was to assist Spain in recovering Florida, Minorca, the Bay of Honduras, and the coast of Campeachy. If Newfoundland was conquered, the fisheries were to be monopolized by the conquerors. Neither party was to suspend hostilities or sign a peace until Gibraltar had been recovered for Spain. It has been claimed that this provision released the United States from her obligation not to conclude a separate peace. In the opinion of Mr. Bancroft, the United States "gained the right to make peace whenever Great Britain would recognise their independence." The treaty was far from popular in America and the stipulation regarding the fisheries excited loud indignation, particularly in New England.

Spain was not an American Ally

The treaty did not make Spain an ally of the United States; she never was one. Vergennes continued to present the Spanish views to congress and some of the smaller states were willing to agree to the Appalachians as the western boundary. By 1781, congress was so eager for Spanish assistance that it instructed Jay, its representative at Madrid, to agree to surrender the free navigation of the Mississippi below the thirty-first degree of latitude and later practically admitted a willingness to give up the back country. Luckily nothing came of these overtures; at the close of the war, America obtained more favorable terms than she could have done had Spain been her ally.

A Naval Fiasco

Spain declared war on the sixteenth of June. Gibraltar was at once besieged and, in August, a combined

1779–1781 French and Spanish fleet, numbering sixty-six ships of the line besides frigates and smaller vessels, entered the English Channel. The British were caught unprepared, but dissensions broke out among the allies, the crews suffered greatly from disease, and the attempt proved a failure.

Spain Invades Michigan

In America, French and Spanish arms were more successful. D'Estaing captured Saint Vincent and took Grenada, and Galvez, the energetic governor of Louisiana, overran western Florida. A Spanish force even seized the post of Saint Joseph in Michigan but soon evacuated it. These conquests might have enabled Spain to set up a valid claim to the eastern valley of the Mississippi had it not been for the previous successes of George Rogers Clark.

January, 1781

Admiral Rodney

By this time, the war was being waged in Europe, the United States, the West Indies, and the East Indies. As dangers multiplied, English courage rose and a great naval commander led the English fleets to victory. Sir George Rodney was given command of twenty ships of the line and sent to relieve Gibraltar. He fell in with a Spanish fleet of fifteen merchant vessels convoyed by seven men-of-war and captured them all, defeated a Spanish fleet of eleven ships of the line off

January, 1780

Cadiz, threw supplies into Gibraltar, and sailed for the West Indies where he fought some indecisive actions with the French. In August, he divided his fleet and sailed with one division for New York where he arrived on the twelfth of September. 1778 1780

Meanwhile, affairs in Europe were becoming more complicated. The arrogance of Great Britain in general and the manner in which she exercised the right of search had aroused the hostility of Europe. As early as 1752, a Prussian memorial urged that "free ships make free goods." In 1778, France proclaimed her acceptance of the doctrine and Vergennes suggested to the Empress Catherine of Russia that she should form a league of neutral powers for the protection of neutral trade. England still maintained the right of a belligerent to seize an enemy's goods when carried on a neutral vessel. In this, she was unquestionably within her rights, but in the exercise of the right she made many unwarrantable seizures. The Right of Search

At the end of 1779, a fleet of Dutch vessels escorted by five war-ships under Count Bylandt was stopped in the English Channel by a British fleet under Admiral Fielding. There was a conflict, Bylandt was forced to strike his flag, and the victors took five of the merchantmen. The Dutch government protested, but a British admiralty court laid down the astonishing principle that, by her geographical position, Great Britain naturally blockaded the ports of France and Spain and that she was entitled to avail herself of this position as the beneficiary of Providence. The Dutch declined to accept "this interpretation of the law and theology of the matter" and appealed to Catherine of Russia asking her to assist in the protection of neutral trade. Before the protest arrived, Catherine had taken action. Still Crowding the Dutch

December 30

Catherine was the widow of the czar who, in the Seven Years' war, had carried Russia over to the side of Frederick the Great. At her court were two rival parties headed respectively by Prince Potemkin who inclined toward England, and by Count Panin, the minister of foreign affairs, who, partly through his friendship for the Catherine the Great

1780 king of Prussia, opposed the advances of England. Frederick, who had not forgotten his desertion by England in 1761, brought about more friendly relations between Russia and France and covertly struck a blow at English interests.

Catherine II. of Russia
(From miniature in collection of the New York Public Library)

A New Maritime Code

Early in 1780, the Spanish seized some Russian ships, and Catherine ordered her navy to be prepared for active service.

March 8

In March, she proclaimed a new maritime code that enunciated the principles that neutral vessels may freely sail from port to port even of belligerent powers, that free ships free all goods except contraband of war, and that no port is to be considered blockaded unless the blockading force is able to make entry to the port really dangerous. "Her imperial majesty, in manifesting these principles before all Europe, is firmly resolved to maintain them. She has therefore given an order to fit out a considerable portion of her naval forces to act as her honor, her interest, and necessity may require."

The Armed Neutrality

The principles thus enunciated were accepted by France, Spain, and the United States. Russia, Sweden, and Denmark entered into an agreement for the mutual protection of their commerce, and the league, known as

December

the "Armed Neutrality," was joined by the Netherlands, Prussia, the German Empire, Portugal, Turkey, and the kingdom of Naples. England's navy was more powerful than the combined navies of the leagued powers, but Russia's friendship was much desired and openly to defy the league would not be wise. At war with the United States, France, and Spain and hampered with troubles in Ireland, England was brought sharply face to face with the whole maritime power of the world.

Attitude of European States toward the American Revolution

1780 English and Dutch Difficulties

Since the accession of William of Orange to the English throne in 1689, England and the Netherlands had been in alliance. The Dutch carried on a large trade with the United States chiefly through the West Indian island of Saint Eustatius and a still greater trade with France. Commercial jealousies were strong and the English felt aggrieved because the Dutch had not lived up to the treaty agreements to assist England when attacked by either France or Spain. The Dutch, on their part, held up an old treaty providing that if Holland or England went to war with a third nation, the commerce of the one at peace should not be disturbed by the other. Fielding's firing on the flag-ship of Count Bylandt had aroused great bitterness in the Netherlands; the British were almost equally indignant because the Dutch had allowed John Paul Jones to remain ten weeks in the Texel. The new maritime code gave great protection to Dutch commerce, but it would not be wise to go to war because Holland had joined the "Armed Neutrality." Some other pretext must be found.

The Pretext

In September, 1780, a British vessel captured an American packet carrying Henry Laurens who was on his way to negotiate a loan in the Netherlands. Among his papers was the draft of a commercial treaty drawn up two years before and signed by Van Berckel, the chief magistrate of Amsterdam. The paper had not been ratified by the Dutch government and had no validity, but England demanded prompt satisfaction and an exemplary punishment of Van Berckel. The Dutch government disavowed the act, but, owing to the decentralized Dutch constitution, it was more difficult for the states general to find a way to punish the magistrate of a particular city than it is for the United States to inflict punishment for the murder of Italians in New Orleans or Chinese in San Francisco. The reply of the states general was held to be evasive and England declared war. It was evident that the accession of the Dutch to the "Armed Neutrality" was the real cause of the war, but Catherine evaded their demand for aid, alleging that

the quarrel grew out of an incident with which the league had nothing to do. This reluctance of Catherine left the "Armed Neutrality" little more than an "armed nullity." 1781

The British ministry at once sent orders to Rodney to seize Saint Eustatius. On the third of February, 1781, Rodney appeared before the island. The governor, ignorant that war had been declared and unable to make any defense, surrendered. The booty was immense, in value more than fifteen million dollars. "This rock of only six miles in length and three in breadth," Rodney wrote to his wife, "has done England more harm than all the arms of her most potent enemies, and alone supported the infamous American rebellion." He determined to leave it, "instead of the greatest emporium upon earth, a mere desert and only known by report." Public and private property was seized and many of the plundered inhabitants were forced to leave the island. "With stratagem perhaps not illegal but certainly not glorious, the Dutch flag was kept flying" in order that Dutch, French, Spanish, and American vessels might be decoyed into the roadstead and seized as a part of the spoils. According to Rodney, more than fifty American vessels were thus taken. Rodney Takes Saint Eustatius

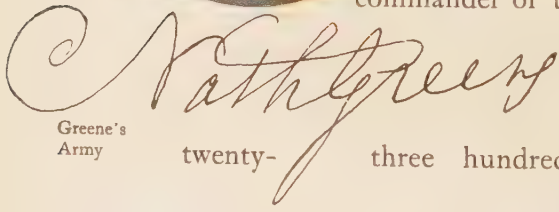
England's treatment of the Dutch and her capture of Saint Eustatius brought their own retribution. While on its way to Europe, a large part of the booty was captured by a French fleet. Another part was lost when Saint Eustatius was taken by a French force as it was before the end of the year. Even the plunder that was sold by the British went at a low price and much of it ultimately came into the possession of England's enemies at a cheaper rate than it would if the island had remained in the hands of the Dutch. England had now to face still another enemy. Most important of all to America, while Rodney lingered at Saint Eustatius gathering the spoil, the comte de Grasse, with a French fleet, "slipped around the shoulder of Martinique and joined the other French ships in the roadstead of Fort Royal." This junction was pregnant with momentous consequences. A Statue Over-gilt

CHAPTER XIII

THE RECLAMATION OF THE CAROLINAS

General Greene

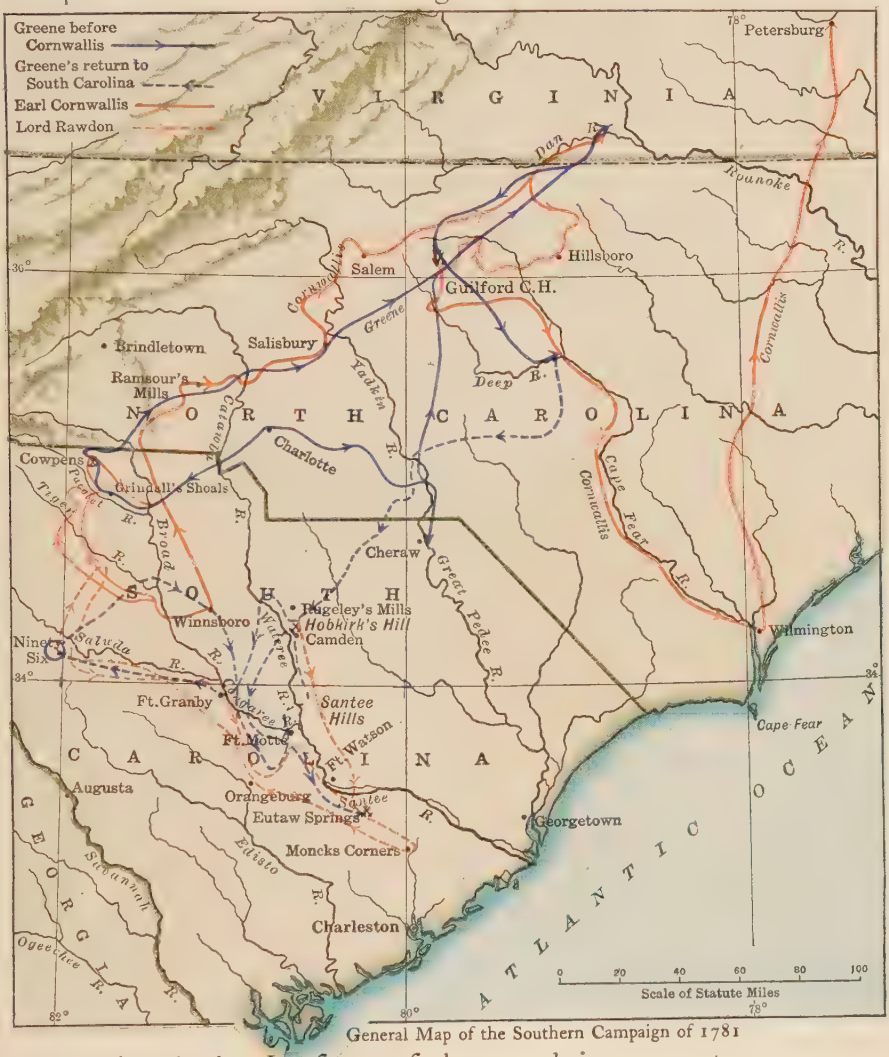
NATHANAEL Greene was the son of a Rhode Island Quaker farmer and blacksmith. An ardent patriot, he joined a militia company called the Kentish guards and was expelled from the Society of Friends. Foreseeing the impending conflict, he studied military science and, at the outbreak of the war, was made a brigadier-general. He commanded the Rhode Island forces before Boston, was made a major-general, and, but for an inopportune illness, would have been in command of the American forces in the battle of Long Island. He was in the battles at Harlem Heights, Trenton, Brandywine, Germantown, and elsewhere and served for a time as quartermaster-general. In October, 1780, Washington selected him to succeed Gates as commander of the southern department.



Greene's Army

On the second of December, Greene took command of the American army at Charlotte, about twenty-three hundred discouraged men, half-

fed and ill-clothed and many of them defiant of 1780
discipline. The number of regulars did not exceed



General Map of the Southern Campaign of 1781

eleven hundred. In front of them and in a country infested with Tories was an army superior in numbers, equipment, and discipline, elated with victory, and commanded by the most enterprising officers that the

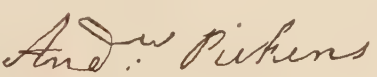
DETAIL MAP OF THE SOUTHERN CAMPAIGN OF 1781

(Compiled by Lieutenant Joseph A. Baer, U. S. Army, West Point, N. Y.)

British had in America—Cornwallis, Rawdon, and Tarleton. General Leslie with a thousand British troops had arrived at Charleston and was under orders to march at once to Camden. By necessity, Greene reversed Gates's plan of campaign and adopted the Fabian tactics of which John Adams had been tired long before. With Greene was Kosciuszko as engineer; Steuben was in Virginia endeavoring to forward reinforcements and supplies; Lieutenant-colonel William Washington and Lieutenant-colonel Henry Lee, "Light-horse Harry," the captor of Paulus Hook and later the father of Robert E. Lee, were in command of the cavalry; and Sumter, Marion, and other partisan leaders were still in the field. Upon these partisan leaders and their bands depended largely the success or failure of the attempt to redeem the South. 1780 1781

Morgan's Advance December 16

Greene sent Morgan with a force of about six hundred men, including the famous Maryland brigade and Washington's cavalry, to cross the Catawba and take command in that quarter, spirit up the people, and annoy the enemy. Morgan took up a position at Grindall's Shoals on the Pacolet and was joined by Pickens and other officers with several hundred volunteers. From this position he threatened Ninety Six and the entire line of British posts at the west. With the main body of his army, now consisting of about eleven hundred men, Greene advanced to a position on the east side of the Pedee nearly opposite Cheraw Hill. Meanwhile, Marion was keeping up his raids at the eastward.



Autograph of Andrew Pickens

December 26

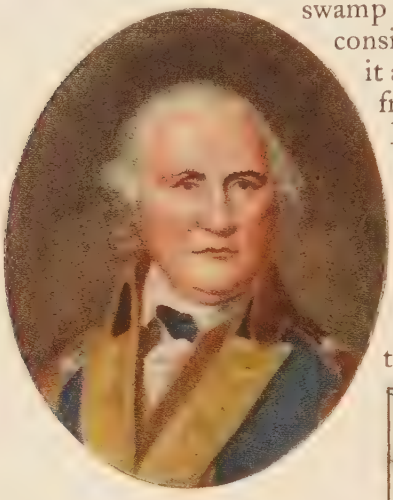
Tarleton's Advance January 1

Fearing that Morgan might capture Ninety Six, Cornwallis sent Tarleton to drive Morgan across the Broad River, while he advanced from Winnsboro leaving orders for General Leslie, who was coming from Charleston with reinforcements, to follow. Pushing forward with his accustomed rapidity, Tarleton crowded Morgan over the Pacolet and then, crossing this stream at an upper ford, drove him back to a grazing ground known as Hannah's Cowpens.

January 16

1781 The Battle-ground

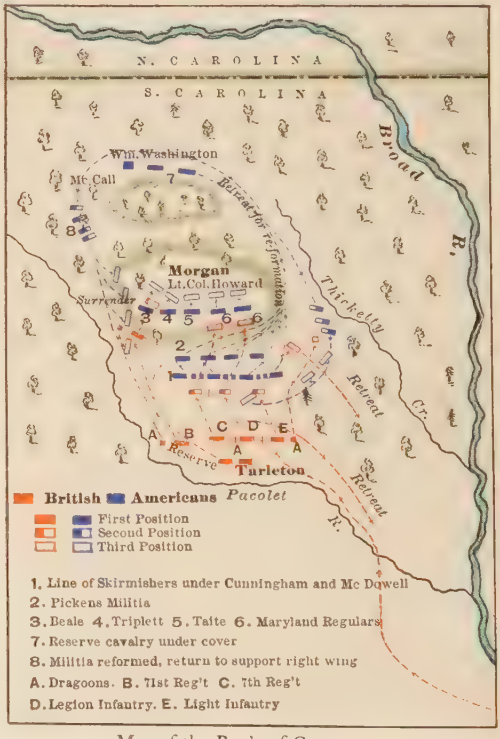
Morgan's choice of ground, with an unfordable river on his left and in his rear, was peculiar. Morgan himself has explained it thus: "I would not have had a swamp in the view of my militia on any consideration; they would have made for it and nothing could have detained them from it. And as to covering my wings, I knew my adversary and was perfectly sure I should have nothing but downright fighting. As to retreat, it was the very thing I wished to cut off all hope of. I would have thanked Tarleton had he surrounded me with his cavalry. It would have been better than placing my own men in the rear to shoot down those who broke from the ranks. When men are forced to fight they will sell themselves dearly."



Daniel Morgan

The Battle Plan

Morgan had about nine hundred and forty men with whom to oppose about eleven hundred and fifty of the enemy. A hundred and fifty yards in advance of the main line he posted two



Map of the Battle of Cowpens

hundred and seventy militia under Pickens. Still further in advance he posted one hundred and fifty picked men deployed as skirmishers with orders to shelter themselves behind trees and not to fire until the enemy were within fifty yards; then to fall back, firing at will, upon Pickens's force which was to deliver two discharges and then take its place on the left of the main line. This main line was composed of two hundred and ninety Maryland regulars, perhaps the best fighters in the service, on the left; two companies of Virginia militia, who had served so long that they were practically regulars, in the center; and a company of Georgians on the right. Washington's and McCall's cavalry were drawn up out of sight in the rear as a reserve. The plan of battle was carefully explained to the men in the main line so that they would not be alarmed by the falling back of Pickens's militia.

1781

Flag of the Third Maryland Regiment
(The only national ensign known to be in existence that was used as a regimental color in the war of the Revolution. Preserved in the capitol at Annapolis)

The Battle

About eight o'clock on the morning of the seventeenth, Tarleton came in sight of his enemy. His troops had been five hours on the march, but, without giving them time to rest and eat, he advanced to the attack. According to orders, the American skirmishers delivered their fire and fell back on Pickens whose men received the enemy with firmness, firing especially at "the epaulette men." When Pickens's militia began to move across to their assigned position on the American left, the British pressed forward rapidly and with loud shouts. After some

1781 fierce fighting, Morgan ordered the American right wing to swing back and to hold its new position until Pickens could circle round and come to its assistance. Lieutenant-colonel Howard mistook the meaning of this move and the Marylanders also fell back in good order. Just then word arrived from Colonel Washington that the enemy were "coming like a mob—give them a fire and I will charge them." The British were within thirty yards and shouting tumultuously when Morgan ordered his men "to face about and give them one fire, and the victory is ours." The Americans faced about, gave a deadly fire, and then charged. At this moment, Pickens appeared on the British left and a cry of "Tarleton's quarter!" ran along the line. Caught between two fires, most of the British threw down their arms and surrendered. In point of tactics, it was the most brilliant

Medal awarded by Congress to Daniel Morgan for his Victory at Cowpens

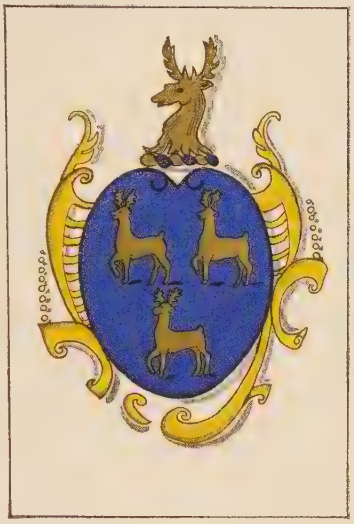
battle of the war. Two standards, thirty-five wagons, two cannons, eight hundred muskets, and about six hundred prisoners were among the trophies of the battle. One hundred and eighty-four British were killed and wounded; the American loss was only eleven killed and sixty-one wounded—a remarkable feature of a remarkable battle. Tarleton himself escaped and reported an "unaccountable panick" and a "decisive rout." Awake

to Morgan's good qualities at last, congress presented him with a gold medal. 1781

Knowing of the coming of Cornwallis, Morgan crossed the Broad River that night and forded the Catawba on the twenty-fourth. On the same night, Cornwallis reached Ramsour's Mills and halted there two days to collect supplies and to burn surplus baggage. When he reached the Catawba on the twenty-ninth, heavy rains had raised the river so that it could not be forded. It was fortunate for the Americans that the rise did not come a few hours sooner. Meanwhile, Greene had heard of the battle and, leaving the main body of his army in command of General Huger, hurried with a small escort to join Morgan whom he reached on the night of the thirtieth; Cornwallis was only eighteen miles away. Crossing the Catawba, Cornwallis pursued Greene and Morgan and captured the rearmost American wagons at the Yadkin. The river was rising and Cornwallis had to wait four days before he could cross it. Another race then took place for the River Dan, and again the Americans won. Cornwallis now gave up the chase and, at Hillsboro, issued a proclamation announcing the conquest of North Carolina. Huger brought up the troops that had been left at the Cheraws and Greene, with an army that numbered about forty-four hundred men, recrossed the Dan and offered battle at Guilford Court House (Greensboro, North Carolina). It was in these dark days that Maryland ratified the articles of confederation. If Greene and his army were to be saved, they must work out their

Cornwallis in Pursuit

January 25



Arms of Nathanael Greene

February 3

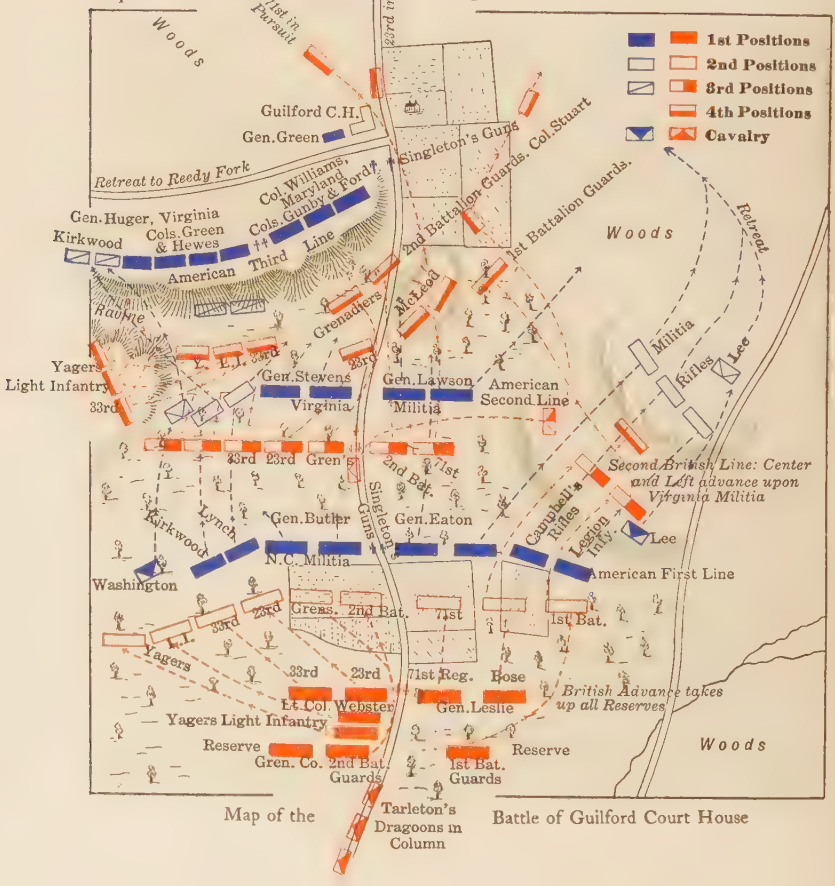
February 23

March 1

1781 own salvation; they could hope for no help from Washington or from congress.

Battle of Guilford Court House March 15

Cornwallis had but twenty-two hundred men, but he accepted the challenge and moved to the attack. The American first line, chiefly North Carolina militia, was formed behind a fence in the edge of the woods with open ground in front. In the road at the middle of the line was Captain Singleton with two pieces of artillery. About three hundred yards in the rear and on higher ground was the second line composed chiefly of Virginia militia. About three hundred yards still further in the rear and still higher ground was the third upon



Map of the Battle of Guilford Court House

line composed entirely of regulars, many of whom had never been in action. Ill health had forced Morgan to retire. After some artillery firing, the British advance moved steadily across the open ground in front of the American first line, taking up its reserves so that the line thus formed was coextensive with the American first line. When the British were within one hundred and forty yards of the fence, the North Carolina militia delivered a partial volley and fled. The British center and left wing swept on at bayonet charge against the American second line which was forced to give way and to seek cover behind the continental troops or in the woods. Meantime, the British right was engaged with Campbell and Lee more than a mile away. When the British advanced against the American third line, the continentals delivered a well-directed fire and, with the bayonet, drove the assailing column back across a ravine to a hill in its rear. Tarleton says that, at this time, the event of the action was doubtful, but Cornwallis succeeded in rallying his men and, by magnificent fighting against heavy odds, drove the Americans from the field and captured their artillery. Tarleton says that "Earl Cornwallis did not think it advisable for the British cavalry to charge the enemy who were retreating in good order." The American loss, including the missing, was thirteen hundred and eleven, that of the British, five hundred and forty-four. The battle-ground is now maintained as a park.

1781

Grenadier of the Twenty-Third Foot
(British)
(Drawn by Harry A. Ogden)

1781

A Barren Victory

"The British had the name: the Americans the good consequences of victory," wrote Ramsey and, in the house of commons, Fox said that "another such victory would ruin the British army." Cornwallis proclaimed a great victory but he found himself so far from any support that he slowly marched his army to Wilmington, the only place in North Carolina left in the possession of the British. Greene rested his men for two days at Troublesome Creek, eighteen miles from Guilford, and then set out to follow Cornwallis. "And now the singular spectacle was presented of the victor retreating by circuitous ways for two hundred miles, while the vanquished followed him up close, offering battle in vain." Greene pursued as far as the Deep River where the Virginia militia refused longer service. Their time was up—and so was the pursuit. Cornwallis reached Wilmington on the seventh of April and decided to leave the defense of South Carolina and of Georgia to Lord Rawdon who had been left to his fate at Camden and to march northward into Virginia where a British force was operating under Generals Phillips and Arnold. Marching from Wilmington on the twenty-fifth of April, he reached Petersburg without serious opposition and formed a junction with Arnold (Phillips having just died) on the twentieth of May.

March 18

Lantern used in Cornwallis's Army

Battle of Hobkirks Hill or Camden Second

Instead of following Cornwallis, Greene sent Lee to join Marion and to cut the line of communication between Charleston and Camden. On the eighteenth of April, he took up a position at Hobkirks Hill two miles north of Camden and, on the twenty-third, Lee and Marion captured Fort Watson on the Santee. Rawdon felt that his only chance was to attack Greene before Sumter, Marion, and Lee brought up their forces. On the morning of the twenty-fifth, he advanced with about nine hundred men to give battle. The American for-

Cornwallis Retreating!

PHILADELPHIA, April 7, 1781.

Extract of a Letter from Major-General *Greene*, dated CAMP, at *Buffelo Creek*, *March* 25, 1781.

"ON the 16th Inſtant I wrote your Excellency, giving an Account of an Action which happened at Guilford Court-Houſe the Day before. I was then perſuaded that notwithſtanding we were obliged to give up the Ground, we had reaped the Advantage of the Action. Circumſtances ſince confirm me in Opinion that the Enemy were too much gauled to improve their Succeſs. We lay at the Iron-Works three Days, preparing ourſelves for another Action, and expecting the Enemy to advance: But of a ſudden they took their Departure, leaving behind them evident Marks of Diſtreſs. All our wounded at Guilford, which had fallen into their Hands, and 70 of their own, too bad to move, were left at New-Garden. Moſt of their Officers ſuffered-- Lord Cornwallis had his Horſe ſhot under him--Col. Steward, of the Guards was killed, General O Hara and Cols. Tarlton and Webſter, wounded. Only three Field Officers eſcaped, if Reports, which ſeem to be authentic, can be relied on.

Our Army are in good Spirits, notwithſtanding our Sufferings, and are advancing towards the Enemy; they are retreating to Croſs-Creek.

In South-Carolina, Generals Sumpter and Marian have gained ſeveral little Advantages. In one the Enemy loſt 60 Men, who had under their Care a large Quantity of Stores, which were taken, but by an unfortunate Miſtake were afterwards re taken.

Publiſhed by Order,

CHARLES THOMSON, Secretary.

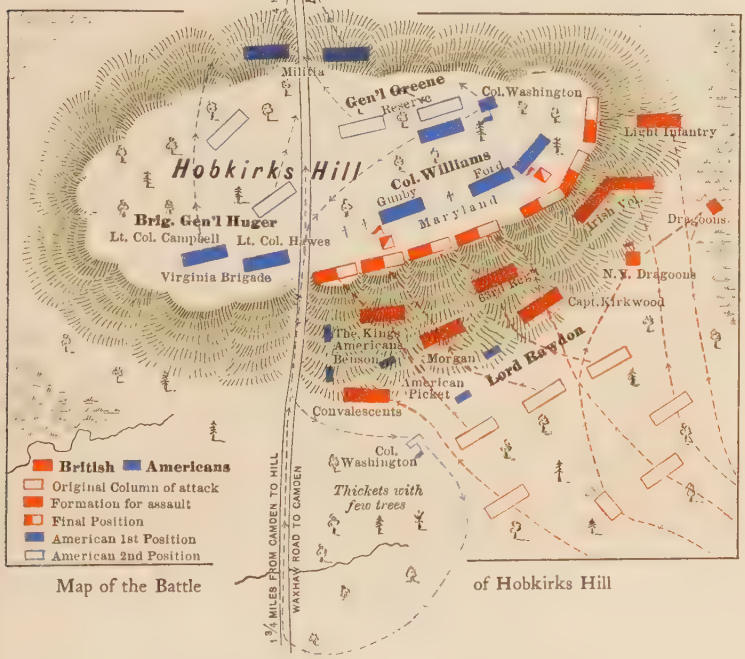
Printed at N. Willis's Office.

BROADSIDE ANNOUNCING CORNWALLIS'S RETREAT AFTER THE BATTLE OF GUILFORD COURT HOUSE

(From copy in the New York Public Library, Emmet Collection)

mation was much like that of the reserve line at the battle of Guilford. The three guns that had just arrived were masked in the center and orders were given for the regiments on their right and left to open for their fire and then to charge the enemy with the bayonet. Colonel Washington and his cavalry were sent to double the flank and take the enemy in the rear. As the British advanced, their reserves were brought to the front as at Guilford. At a critical moment, Ford fell severely wounded and his men hesitated; Captain Beatty of Gunby's regiment was mortally wounded and his company fell back in disorder. When Gunby retired the other companies to reform his regiment, the movement gave the idea of a retreat, even the first Maryland broke, and the day was lost. The Americans fell back to Rugeleys Mills taking their cannons with them, and the British retired to Camden. Few were killed on either side and the dead alone held the field of battle. Then South Carolina rose in arms and Lord Rawdon prepared to retreat. He burned his bag-

1781

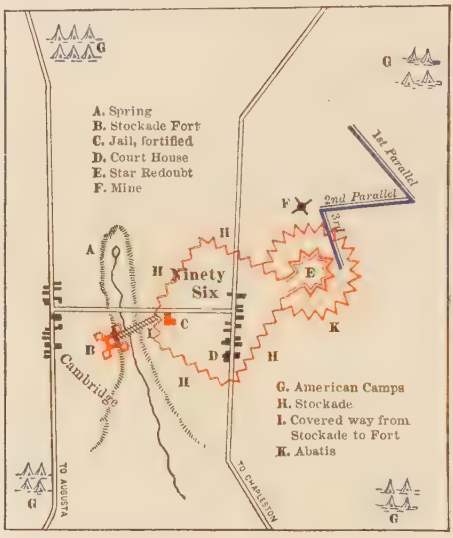


Map of the Battle of Hobkirks Hill

1781 gage and stores, set fire to the prison, and left Camden little more than a heap of ruins. On the night of the tenth of May, he crossed the Wateree at Camden Ferry and retreated to Monck's Corners, only thirty miles from Charleston.

The Siege of Ninety Six

Sumter occupied Orangeburg on the eleventh of May, Marion and Lee captured Fort Mott on the twelfth, Lee reduced Granby on the fifteenth, and Augusta was surrendered by the British on the fifth of June. Other posts were taken or evacuated until Ninety Six was the only place that the British held in the up-country of the Carolinas and, since the twenty-second of May, Greene and Kosciuszko had been besieging that. On the third of June, three regiments from Ireland arrived at Charleston for Cornwallis, but two of them were used for the relief of Ninety Six and the other was sent by sea to reinforce Sir James Wright at Savannah; even Georgia was in peril. On the seventh of June, Rawdon marched with seventeen hundred of these recruits from Charleston to raise the siege of Ninety Six; at Monck's Corners he was joined by the troops that he had left there. Greene was sapping Colonel Cruger's principal redout when he heard of Rawdon's approach and made an assault on the morning of the nineteenth. The siege was raised on the twenty-first and the American army crossed the Saluda and retired northward, pursued by Rawdon and his troops. When the new recruits were nearly worn out by chasing

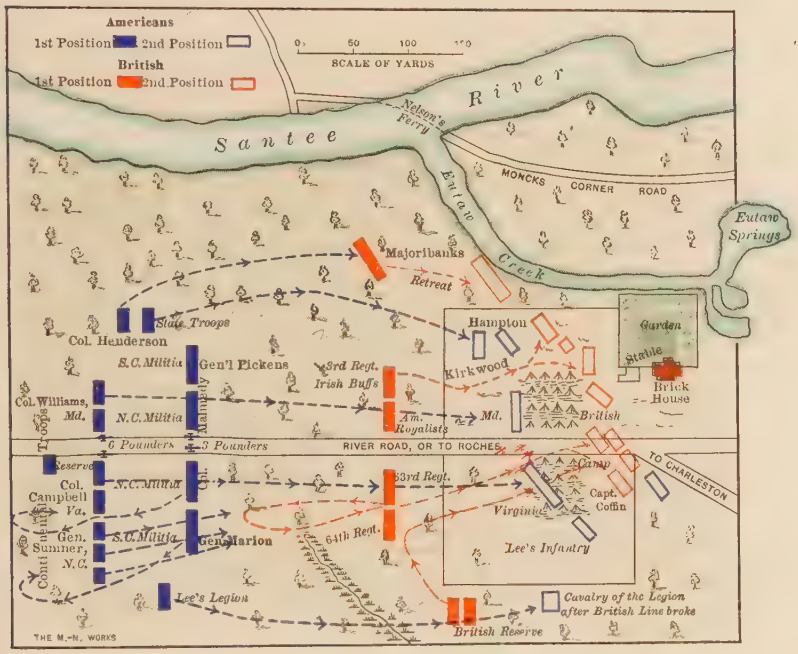


Map of the Siege of Ninety Six

the wary Americans, Rawdon returned to Ninety Six, destroyed the works that it was impossible for him to hold, and withdrew the garrison. Greene then marched his army to the High Hills of the Santee for rest during the extreme summer heat. Meanwhile, partisan warfare, in which little quarter was given by either side, continued. 1781

Battle of Eutaw Springs

During this period of comparative inaction, Lord Rawdon sailed for home leaving Colonel Alexander Stewart in command of the British forces with headquarters at Orangeburg. On the twenty-second of



Map of the Battle of Eutaw Springs

August, Greene advanced with an army that had been reinforced by seven hundred continentals under General Jethro Sumner and now numbered about twenty-six hundred men. Stewart fell back to Eutaw Springs about sixty miles from Charleston where, on the morning of the eighth of September, Greene attacked him. The formation of the two armies is clearly shown by the accom-

1781 panying topographical illustration. For want of bread, Colonel Stewart had been, as he says in his report, "under the necessity of sending out rooting parties, from each corps, under an officer, to collect potatoes every morning at daybreak." On this particular morning, the unarmed detachment from the "Irish Buffs," going too far to the front, "found the vanguard of General Greene's army, which they were not seeking, and left the sweet potatoes, which they were seeking." A number of the "Buffs" were taken prisoners and the chase added zest to the American advance. The more formal opening of the battle was made about nine o'clock. The action on both sides was vigorous, but when the American second line was brought up at a bayonet charge and the reserve came to their support, the British left wing gave way and the men fled in disorder through their camp to the cover of a brick house which, with its palisaded garden fence, was to Eutaw Springs what the Chew House was to Germantown. While the British officers were reforming their lines, a part of the American army fell to plundering the British camp and drinking rum; the result need not be told in detail. The American lack of discipline, the brick house, the garden wall, and a British rally saved Colonel Stewart's army.

Flag of Colonel William Washington's Cavalry Troop, commonly called the Eutaw Standard
(In possession of the Washington Light Infantry Corps of Charleston, South Carolina. We are greatly indebted to Captain W. S. Lanneau, of the Washington Light Infantry, for assistance in securing a colored photograph of it)

The Americans were driven from the field. Their loss amounted to about four hundred, including Lieutenant-colonel Washington who was wounded and taken prisoner. The British lost nearly three hundred more. 1781

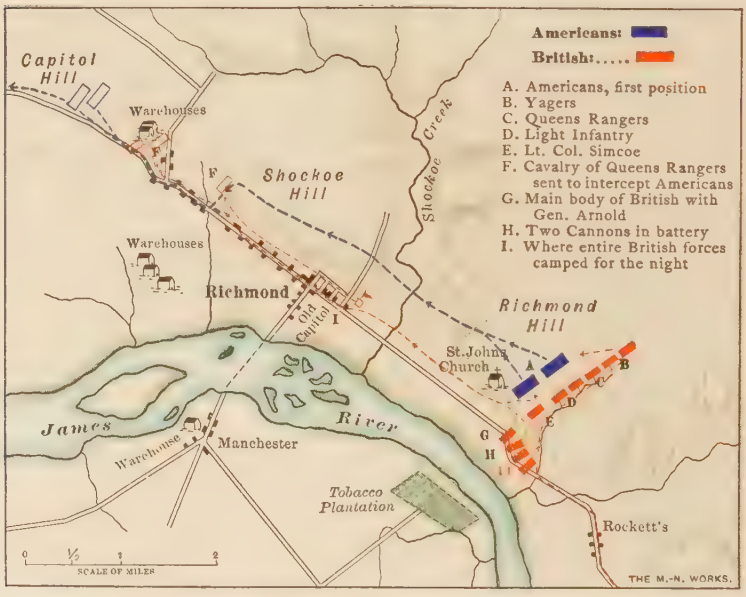
Again, Greene's defeat was equivalent to a victory. On the night of the ninth, Stewart, after destroying a thousand stands of arms, fell back to Monck's Corners pursued for nearly thirty miles by Marion and Lee. The British were now confined to the districts about Charleston and Savannah. By the fifteenth, Greene was again at his camp at the High Hills of the Santee. For the rest of the war there were no engagements of great importance in the South. The campaign resolved itself into a series of partisan conflicts, of which more will be said in a later chapter. The Dying Embers

CHAPTER XIV

THE FINAL BLOW

Benedict Arnold in Virginia

IN October, 1780, General Clinton had sent General Leslie into Virginia. Leslie occupied Portsmouth and Norfolk, but, after the affair at King's Mountain, he was sent to South Carolina. Clinton did not, however, give up the idea of isolating the South by the conquest of Virginia. In December, General Arnold sailed from New York with sixteen hundred British



Map of Arnold's Position at Richmond, January 5, 1781

Map of Operations in Virginia in 1781

1781 January 5

regulars, ascended the James River, and captured Richmond. A great deal of private property was destroyed and part of the city was burned. Hearing that Steuben was at Petersburg, Arnold hastened back to save his line of retreat and to prepare for the defense of Portsmouth.

Lafayette in Virginia

As early as the twentieth of February, 1781, congress assigned the task of capturing Arnold to Lafayette who was given a picked corps of twelve hundred men from the New England and New Jersey lines. Feigning an attack on Staten Island, Lafayette led his troops to the Head of Elk where he arrived on the third of March, three days ahead of schedule time. Thence his troops went by water to Annapolis. To coöperate with Lafayette, Washington proposed to Rochambeau that the French fleet that had been blockaded at Newport be sent to the Chesapeake and, with some of the ships, Destouches tardily put to sea. At the Virginia capes, Destouches found Arbuthnot and a British fleet. After the engagement that took place, the French ships went back to Newport for repairs. Meanwhile, Lafayette had left his army at Annapolis and hurried on to Yorktown for a conference with Steuben, and to Suffolk where he found Muhlenberg with the Virginia militia. After the return of the French fleet, Lafayette hastened to Annapolis and thence

Map of Operations on the Chesapeake Bay, March, 1781

March 16

led his troops northward. At the Head of Elk he received orders from Washington assigning him to the command in Virginia, superseding Steuben who, as usual, accepted the order without question. At Baltimore, Lafayette bought shoes and cotton cloth, for which he paid with drafts on the French treasury personally endorsed by himself; the women of Baltimore made the cloth into shirts. Lafayette gave the shoes and shirts to his men and set out on a forced march for Richmond where he arrived on the twenty-ninth of April. 1781

General Phillips and his Raid

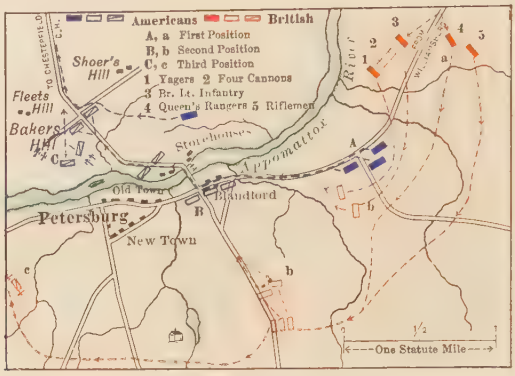
Late in March, Major-general William Phillips arrived in the Chesapeake Bay with two thousand British troops from New York, took command at Portsmouth, and completed the fortifications that Arnold had begun.

Overshoes worn by Lafayette

Uniform of Lafayette's Light Infantry
(Drawn by Harry A. Ogden)

In April, he sailed up the James River as far as Burwell's Ferry and thence marched to Williamsburg whence the militia fled. Lafayette was then advancing on Richmond, and Steuben, with about a thousand militia, was at Petersburg. On the twenty-fourth, the British army sailed to City Point and, on the twenty-fifth, marched for Petersburg. After a skirmish at a hill east of Blandford, now an eastern suburb of Petersburg, April 20

1781



Map of Phillips's Position at Petersburg

Steuben's feeble force safely crossed the Appomattox. Arnold says that "the enemy took up the bridge, which prevented our pursuing them." Four thousand hogsheads of tobacco and a number of vessels were destroyed. On the twenty-seventh, Phillips marched to Chesterfield Court House and burned the barracks there; on the same day, Arnold marched to Osborne and burned some vessels. On the thirtieth, the British army marched to Manchester and destroyed twelve hundred hogsheads of tobacco. Across the river at Richmond was Lafayette with nine hundred men, helpless spectators of the conflagration. On the ninth of May, the British army returned to Petersburg to meet Cornwallis. Here Phillips was stricken with typhoid fever and, on the thirteenth of May, he died. Cornwallis arrived on the twentieth, and, in June, Arnold returned to New York much to the disappointment of the Americans who had hoped to take him; Jefferson had offered a reward of five thousand guineas for his capture. In the campaign, Arnold is said to have asked a captured captain: "What would be my fate, if I should be taken prisoner?" "They will cut off that shortened leg of yours wounded at Quebec and Saratoga, and bury it with all the honors of war, and then hang the rest of you on a gibbet," was the answer.

Cornwallis and his Race with Lafayette

The arrival of Cornwallis brought the British army in Virginia up to more than five thousand men, double that of Lafayette who found himself, as he expressed it "not strong enough even to be beaten." When Cornwallis

June 4

advanced against him, Lafayette abandoned Richmond

and retreated across the Rapidan. Cornwallis then sent Tarleton to scatter the legislature at Charlottesville and to capture Governor Jefferson. A few members of the legislature were taken and Jefferson had not more than five minutes to spare when he left his home at Monticello. Cornwallis, meanwhile, was in hot pursuit and, for a time, the country between the James and the Rappahannock was well warmed with the marchings of the marquis and the earl. Cornwallis wrote: "The boy cannot escape me," but Lafayette moved quickly and, on the tenth of June, was opportunely reinforced by Wayne with about eight hundred men of the Virginia line and other troops. Cornwallis, who had advanced as far westward as Point of Forks, retreated to Richmond and thence to Williamsburg.

1781

June 4

Cornwallis Occupies Yorktown

At Williamsburg, Cornwallis received letters from Clinton saying that New York was threatened and calling for help. On the sixth of June, Lord Germain wrote to Clinton that "Lord Cornwallis's opinion entirely coincides with mine, of the great importance of pushing the war on the side of Virginia with all the force that can be spared." On the fourth of July, Cornwallis began to fall back toward Portsmouth and Lafayette followed; in the ensuing action at Green Spring, the Americans were repulsed with a loss of more than a hundred men. Cornwallis reached Portsmouth in safety and, on the twentieth of July, received orders countermanding his instructions for the shipment of troops to New York. Early in August, he removed to Yorktown and Gloucester, and, later in the month, by adding the garrison of Portsmouth to his army, had about seven thousand men. Lafayette took up a position at Malvern Hill; after Cornwallis moved to Yorktown, he occupied Holt's Forge

Coat of Arms of Cornwallis

July 6

1781 on the Pamunky, and sent Wayne to the south side of the James to oppose any movement to reinforce Rawdon and to be in readiness to join Greene if Cornwallis should withdraw from the state. Throughout a difficult campaign, Lafayette had displayed commendable zeal and discretion. The stage had now been set for the final act, to understand which, we must turn first to the North.

Apathy and Mutiny

In that section the outlook for the Americans had been only a little less gloomy than it was in the South. Food, clothing, and money were as scarce as they had ever been, and hope deferred had brought on a sort of apathy. The winter brought little relief from toil and none from suffering. The soldiers were often without food, were exposed without proper clothing to the rigors of winter, and had served almost twelve months without pay. The Pennsylvania line, about fifteen hundred men who in their huts at Morristown were exposed to the piercing cold in "old worn-out coats, tattered linen overalls, and

January 1

but one blanket between three men," mutinied, killed a captain who tried to suppress the movement, and, in spite of all that General Wayne could do, marched toward Philadelphia to force congress to give them redress. The men, however, remained loyal to the cause and gave up to be hanged as spies two British agents sent by Clinton to persuade them to desert. At Trenton, on the tenth, they were met by Joseph Reed, president of the Pennsylvania council, and by a congressional committee. The mutiny was finally suppressed by a wise application of concession, persuasion, and force. Lafayette wrote to his wife: "Human nature has its limits, no European army would suffer the tenth part of what the Americans suffer. It takes *citizens* to support hunger, nakedness, toil, and the total want of pay, which constitute the condition of our soldiers, the hardiest and the most patient that are to be found in the world."

Pluto Lends a Helping Hand

To tide the country over the crisis, Lieutenant-colonel John Laurens, son of the Henry Laurens who was then a prisoner in London Tower, was sent on a special and almost hopeless mission to France to secure a loan and

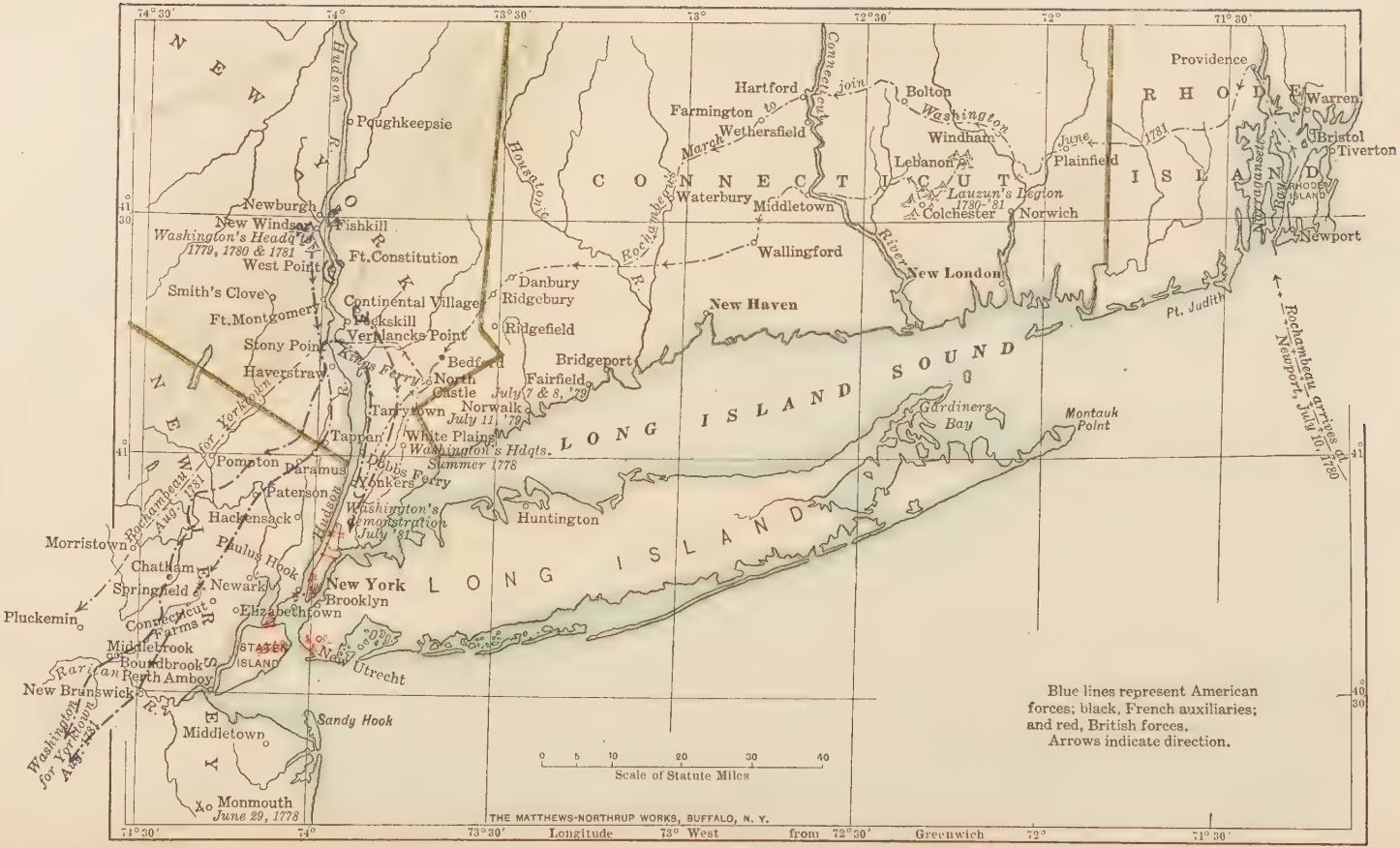
naval assistance. After hearing that Laurens was coming, Vergennes declared that "Congress relies too much on France for subsidies to maintain their army. They must absolutely refrain from such exorbitant demands. The great expenses of the war render it impossible for France to meet these demands if persisted in." After his departure, Washington wrote to Laurens: "I give it decisively as my opinion that without a foreign loan, our present force (which is but the remnant of an army) cannot be kept together this campaign. . . . It may be declared in a word that we are at the end of our tether, and that now or never our deliverance must come." Upon his arrival in Paris, Laurens, with little adherence to diplomatic forms, declared that money was a necessity and even hinted that, if it was not obtained, the time might come when the United States would be found fighting with England against France. Although French finances were badly involved, six million livres (more than a million dollars) was promised. Franklin had already secured a loan of four million livres and Vergennes had agreed to guarantee a Dutch loan of ten million livres. On the twenty-fifth of August, Laurens arrived at Boston with clothing, ammunition, and half a million hard dollars.

1781

April 9

Rochambeau Joins Washington

Before Laurens's arrival, the plan for striking the final blow had been evolved. Wash-



MAP OF WASHINGTON'S AND ROCHAMBEAU'S MARCH TO YORKTOWN

(Compiled by Lieutenant Joseph A. Baer, U. S. Army, West Point, N. Y.)

ington held a conference with Rochambeau at Weathersfield, Connecticut, at which the propriety of a combined attack upon New York was considered. The chevalier de Ternay had died at Newport and the count de Barras had recently arrived at Boston with the news that the count de Grasse was in the West Indies with orders to detach a portion of his fleet "to coöperate in any undertaking which may be projected by the French and American generals." The generals agreed that the French troops should be marched from Rhode Island to the Hudson and participate in operations against New York, though the possibility of operating "against the enemy in some other quarter, as circumstances shall dictate," was kept open. On the sixth of July, the allied armies extended in a line from the Bronx to Dobbs Ferry. The junction of the two armies and the capture of dispatches revealing the intention of the allies caused Clinton great anxiety and led him to call upon Cornwallis for reinforcements. It was this call that led Cornwallis to fall back to Portsmouth.

1781
May 21
May 8

The ratification of the articles of confederation (a feeble bond, but still a bond) testified to the continued determination of the thirteen states even after years of struggle and delay, congress replaced some of its clumsy committees with more efficient secretaries of departments, an earnest effort was made to meet the reasonable demands of the army, and even the recent mutinies had shown that the patriotism of the troops might be relied upon. Washington was given greater authority and France magnanimously put her troops under his command. On the fourteenth of August, came a letter from Grasse, dated at the Cape of Santo Domingo, announcing that, on the thirteenth of August, he would sail for the Chesapeake with from twenty-five to twenty-nine ships of the line and more than three thousand troops, but stating that his engagements with the Spaniards would not admit of his remaining later than the fifteenth of October. Here was an opportunity of which Washington resolved to take advantage. He determined to capture Cornwallis. In

The Man Meets the Crisis

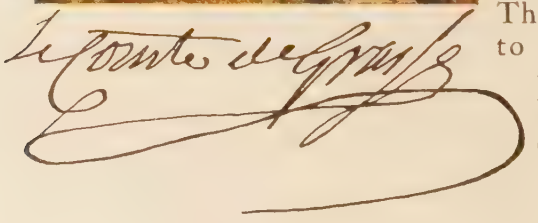
July 28

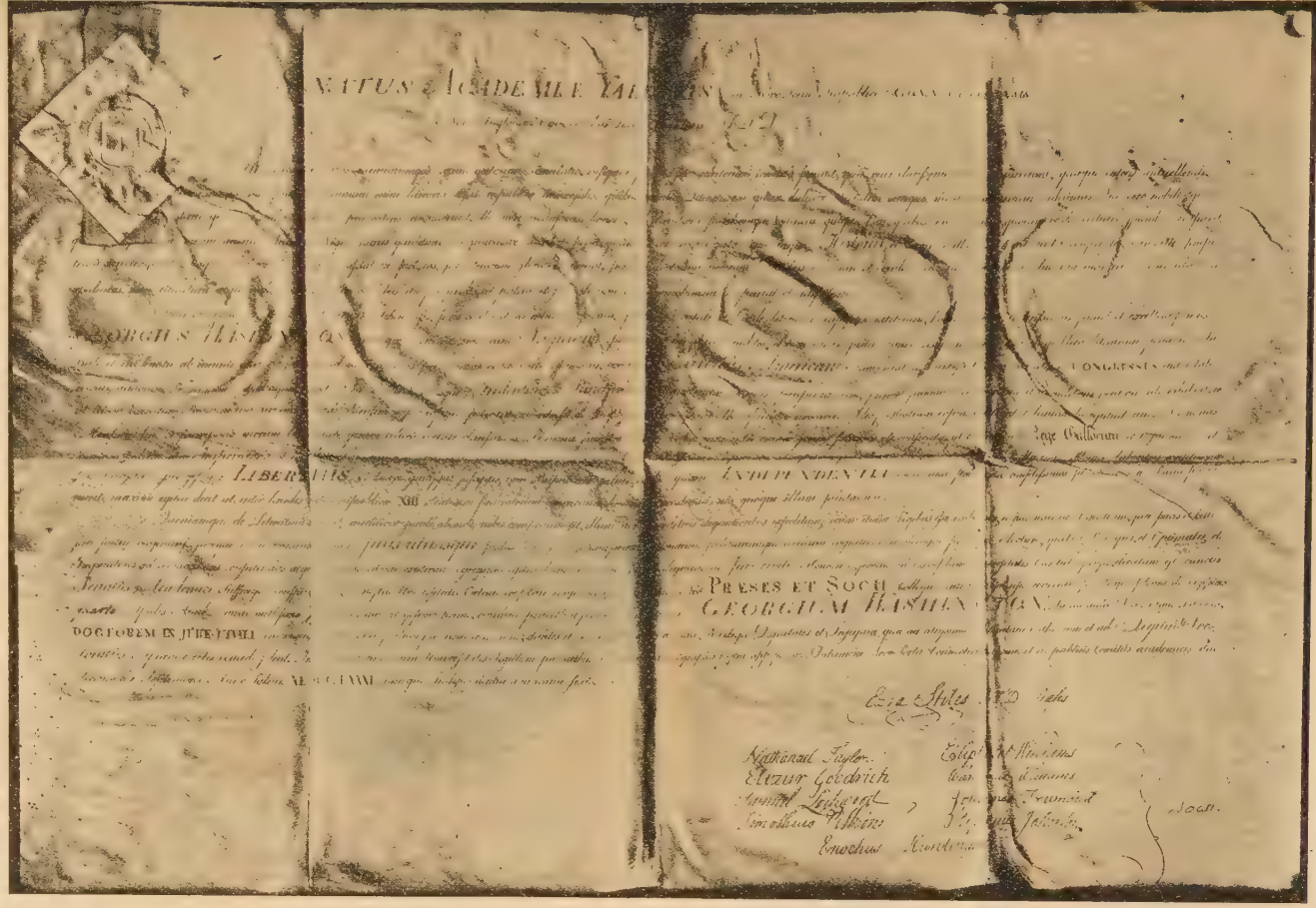
1781 order to deceive Clinton, he prepared "a false *demonstration* against New York and a real *movement* against Yorktown." In letters to the governors of the northern states, he called for aid as if for an attack on New York. In letters to the authorities in Philadelphia, he defined a plan for a movement against New York by way of Staten Island. Word was also sent to Lafayette and Grasse that Cornwallis be not permitted to escape, and to Robert Morris that transportation might be in readiness at the Head of Elk, and stores provided.

On to Yorktown

With a reticence and strategy that his own officers could not fathom, Washington prepared for the demonstration and the movement. The undertaking was hazardous, but its audacity worked in its favor. Taking with him two thousand continentals and Rochambeau's four thousand French troops, Washington crossed the

August 19–26 Hudson and marched through New Jersey as if for Sandy Hook. Then the whole force turned and marched to Trenton where the artillery, intrenching tools, and some troops were embarked on boats. The rest of the army marched on to Philadelphia whither Washington preceded them. Here Rochambeau advanced twenty thousand dollars in gold, of which more in the following chapter. The money was paid to the continental troops who had been so long without any pay that



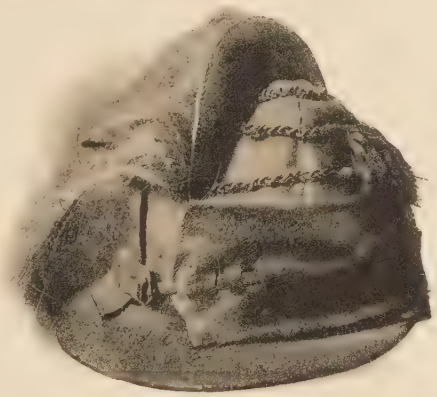


Diploma from Yale College conferring Degree of LL. D. on Washington, September 12, 1781

(From original in Library of Congress)

the effect "was inspiring." By this time, the secret was out and the troops, ragged continentals and gaily clad Frenchmen, were received with great enthusiasm. At Chester, on the afternoon of the fifth of September, Washington received word that Grasse was in the Chesapeake. The French admiral had arrived with frigates and transports, twenty-six ships of the line, and more than three thousand soldiers under Saint Simon. "I never saw a man so thoroughly and openly delighted," says one of Rochambeau's officers. A few months before, Grasse had joined the other French ships in the roadstead of Fort Royal while Rodney was lingering over the disposal of his rich spoil at Saint Eustatius. As Professor Jameson has pointed out, Yorktown might never have happened but for Rodney's squandering of his opportunity. On the sixth, the continentals reached the Head of Elk and, on the eighth, they were joined by the French. The admirable logistics of Lafayette in February had now been equaled by that of Washington. From the Head of Elk and from Annapolis, the troops were transported by water. Meanwhile, Washington made a flying visit to Mount Vernon—the first in six years—and entertained Rochambeau there. On the fourteenth, Washington reached Lafayette's headquarters at Williamsburg. Saint Simon had already landed his troops and united them with Lafayette's. The allies took up a strong position across the peninsula at Williamsburg where they were joined by the troops from the North. By the twenty-eighth, Cornwallis was in Washington's "mouse-trap" with four armies and two

1781



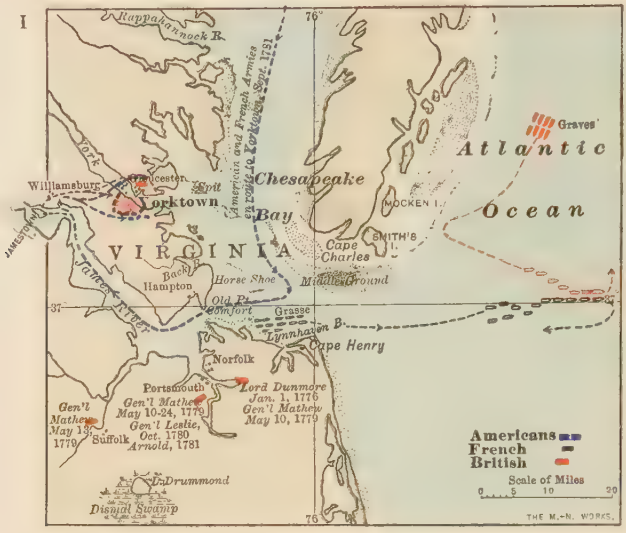
Cap worn by Captain Titcomb of Washington's Life Guard

September 10

September 2

1781

A Naval Battle



Operations on the Chesapeake Bay, in September, 1781

fleets ready to pounce upon him.

Meanwhile, all had gone ill with the British. Uncertain of Grasse's intentions, Admiral Rodney had sent Sir Samuel Hood with fourteen ships of the line to join the British squadron at New York. Hood

August 25 reached the Virginia capes a few days ahead of Grasse and, finding no enemy there, continued on to New York and joined Admiral Graves, only five of whose seven ships of the line were fit to go to sea. On the day of Hood's arrival, word was received that M. de Barras had put to sea with the French flotilla at Newport. Graves at once went in pursuit hoping to beat the French in detail. After looking into Delaware Bay, he sailed on to the Chesapeake. Barras had taken a roundabout route and was not there —but Grasse was. The French admiral at once slipped his cables and sailed outside the capes. In the four hours'

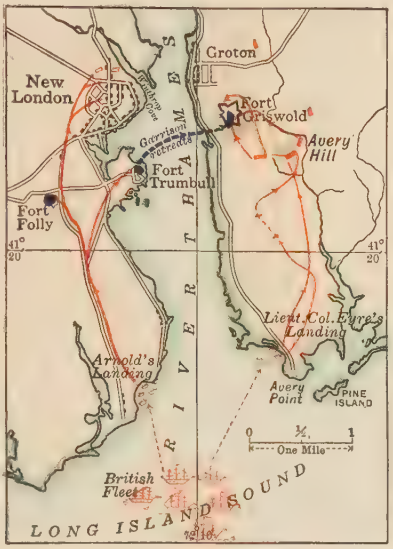
September 5 engagement that followed, neither side gained a victory, but Graves's fleet was so much disabled that he returned to New York. Grasse kept at sea for four days; meanwhile, Barras slipped into the Chesapeake and soon sent ships to Annapolis for such of the troops from the North as had not found transportation at the Head of Elk.

Arnold's Invasion of Connecticut

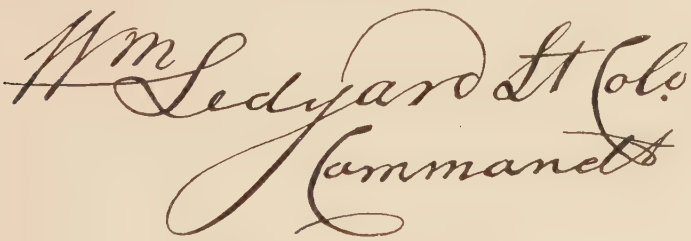
In the hope of recalling Washington to the North, Clinton sent Arnold from New York with about two thousand men on a raid into Connecticut. On the after-

noon of the fifth of September, the ships came to anchor on the Long Island side of the sound, about thirty miles from the mouth of the River Thames. On the morning of the sixth, the alarm guns at New London signaled the approach of the enemy. The regular "larum" was two guns, but the numerous New London privateers were in the habit of announcing their successes by salutes of three guns on their return to port. This was known to Arnold who fired the "third gun similar to ours and timed it alike which broke our alarm which discouraged our troops coming to our assistance." The military district, on both sides of the Thames River, was commanded by Colonel William Ledyard. On the west or New London side of the river was Fort Trumbull, an

1781



Map of Arnold's Attack on New London



Autograph of William Ledyard

unfinished water battery open from behind; on the east or Groton side was Fort Griswold, an "oblong square" with bastions and a covered way leading to another battery nearer the river. At this time, the garrisons were especially depleted, most of the men capable of bearing arms being in the field or on shipboard.

1781 The Burning of New London

Arnold divided his troops into two divisions; one division commanded by Lieutenant-colonel Eyre, landed on the east side of the harbor; the other, commanded by Arnold in person, landed on the west side. As Arnold's column marched up the river bank toward the town, the two dozen men in Fort Trumbull fired one volley, spiked their guns, and took boat for Fort Griswold. Arnold then advanced to New London where ten or twelve ships were burned and the stores and part of the town were fired and "unfortunately destroyed."

> We've nothing old; our parchment proofs,
> Our red-ink prints, our damask woofs,
> All perished with our gabled roofs,
> When Arnold burnt the town.

Thirteen miles up the river was Norwich, Arnold's birthplace and boyhood home. On that day, Washington and his troops arrived at the Head of Elk on their way to Yorktown, and Lafayette, Arnold's late antagonist in Virginia, was aged twenty-four.

At Fort Griswold

On the other side of the river, the little garrison was reinforced by the men who crossed over from Fort Trumbull and by the volunteers who came hurrying in. Most of the eight score were young men — a consequence of six years of war; Ledyard, their commander, was only forty-three. Colonel Eyre sent "to Colonel Ledyard the demand if they had to take the fort by storm they should put martial law in force, that is, whom they did not kill with balls should be put to death with sword and bayonet. Our flag went to the British flag with Colonel Ledyard's answer that he should not give up the fort to them, let the consequence be what it might." On both sides, the fighting was furious. "Tom, my son, do your duty," said a brave Groton lieutenant to the seventeen-year-old boy by his side. "Never fear, father," replied the lad — and fell. "'Tis a good cause," said the father as he fought on beside the body of his boy. When the British were swarming over the ramparts and further resistance was useless, Colonel Ledyard ordered his men to throw down their arms; so far, only three Americans had been killed. "Who commands this

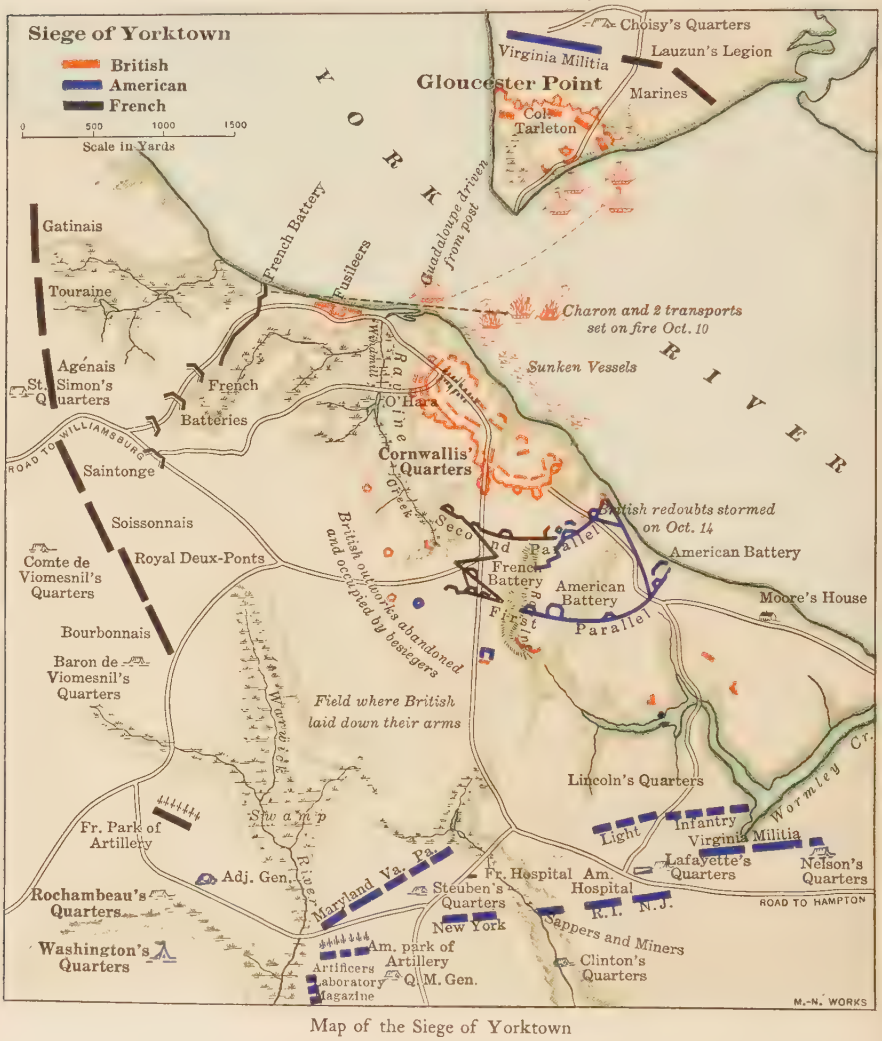
fort?" demanded Major Bromfield, and the courtly colonel answered, "Sir, I did, but you do now," and gave up his sword. Pierced, either with that sword or another, Ledyard instantly fell and died; then the promised massacre began. When, sickened by their bloody work, the British ceased the slaughter, eighty-eight of the garrison lay dead and thirty-five were severely wounded. The British loss was greater than the total number of the defenders of the fort. As the Connecticut militia, aroused by the noise of battle, began to assemble, Arnold hastily reëmbarked his troops with the few unwounded prisoners and sailed away, while 1781

> Two score widows of Groton town
> Walked mid the corpses up and down;
> Turned the dead faces up to the light,
> Calling, calling into the night;
> . . . . . .
> Waiting, speaking,
> Questioning, seeking
> Over the torn sod, reeking
> With the blood of Groton Height.

In 1792, the Connecticut general assembly appropriated "five hundred thousand acres of the lands belonging to this State lying west of the State of Pennsylvania and bounded northerly on the shore of Lake Erie" to be divided among the New London and Groton sufferers of 1781—the "Fire Lands" of Ohio. In later years, the state built and dedicated the Groton Heights monument, a granite obelisk one hundred and thirty-five feet high. Within the monument is a marble tablet bearing the names of those who fell in the defense of Fort Griswold. May 10 September 6, 1830

But such attempted diversions had no effect upon the Yorktown campaign. Clinton did prepare an expedition for the direct succor of Cornwallis, but he was slow in setting out and, when he reached the Virginia capes, all was over. On the twenty-eighth of September, the allies, numbering about sixteen thousand men, appeared before Yorktown. The British position had not been selected with a view to a siege and was naturally weak. The bluff occupied by the town and the works stood on the south side of the York River and between Wormley Creek on the At Yorktown

1781 east and Windmill Creek on the west. The east branch of Windmill Creek ran through a deep ravine or "gorge" in front of the town. At the mouth of this creek lay



Map of the Siege of Yorktown

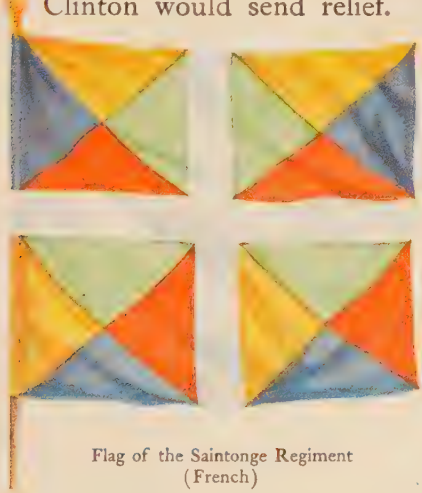
the British frigate "Guadaloupe," and, a little further up the river was a redout occupied by the Royal Welsh Fusileers. On the high ground beyond the ravine were

several redouts, the garrisons of which would find it difficult to recross the "gorge" under pressure from the enemy. Cornwallis therefore saved the garrisons by giving up the redouts beyond the ravine. The works thus abandoned were promptly occupied by the French. Evidently, any advance on the town from the west, or any retreat from the town in that direction would be difficult if not impracticable. On the other side of the main defenses, the British redouts were stronger; there, the allies made their regular siege approaches. 1781

Flag of the Gatinois Regiment (French)

On the twenty-ninth of September, the lines of the allies were extended to envelop the flanks of the enemy and Cornwallis withdrew to his inner defenses abandoning most of his outer works; he evidently expected that Clinton would send relief. On the morning of the thirtieth, the besiegers occupied the abandoned works and began weaving around the town a semicircular web of ditches, redouts, and batteries from the river above to the river below. On the night of the sixth of October, the first parallel was opened at a distance of five or six hundred yards from the British works. The work was advanced on the seventh and the eighth without any reply to the fire that Cornwallis kept up. At three o'clock on the after-

The American Works



Flag of the Saintonge Regiment (French)

1781 noon of the ninth, the bombardment of Yorktown was begun by the French battery on the extreme left near the bank of the river above the town; at five o'clock, an American battery on the extreme right on the river bank below opened fire. For four days, the cannonading was incessant. The British frigate "Charon," and two transports were set on fire and the "Guadaloupe" moved to the Gloucester shore to avoid the shot and shell. In June, Thomas Nelson had been elected as governor of Virginia, succeeding Jefferson, and he was now in charge of the Virginia militia before Yorktown. It is said that he was asked to direct the cannonading of the town and that he pointed out what he said was Cornwallis's headquarters—it was his own house.

Autograph of Thomas Nelson

Nelson House at Yorktown

Storming the Redouts

On the night of the eleventh, the besiegers moved under cover of the ravine and began their second parallel not more than three hundred yards from the British lines. Two redouts that Cornwallis had not abandoned were serious obstacles to the extension of this parallel to the river bank and it was resolved to take them by storm. The one on the river bank was

Flag of the Royal Deux-Ponts Regiment (French)

assigned to Alexander Hamilton and the American light infantry; the taking of the other and larger one devolved upon Colonel William Deux-Ponts and French chasseurs and grenadiers from the baron de Viomesnil's command. On the evening of the fourteenth, Hamilton's column charged with unloaded muskets and, in ten minutes, its work was done. At the other redout, the charge of the Hessian garrison was met with a French volley and a countercharge and, in half an hour the field-work was carried and the Hessians threw down their arms. By the morning of the fifteenth, both redouts were included in the second parallel. 1781

Trying to Escape

The firing of the allies was so effective that the British guns were almost wholly silenced while shot and shell enfiladed the town from one end to the other. By the sixteenth, says Cornwallis, "there was no part of the whole front attacked on which we could show a single gun and our shells were nearly expended." He therefore tried to escape with as many of his troops as possible. On the night of the sixteenth, one division quietly crossed the York to Gloucester which was invested by thirty-five hundred men under General Choisé. But at midnight, a violent storm arose and drove all the boats, some of them with troops on board, down the river. Such was the exposed situation of the British army when the French and American batteries opened on the morning of the seventeenth. The boats were regained and the troops brought back without much loss, but, says Cornwallis, "In the meantime, our works were going to ruin. We could not fire a single gun. . . . I therefore proposed to capitulate." At ten o'clock, a red-coated drummer mounted the Yorktown parapet and began to beat the parley. "As for being heard, he might have drummed till domesday; but he could readily be seen and the cannonading stopped." At that moment, Sir Henry Clinton was sailing down New York Bay with twenty-five ships of the line, several frigates, and seven thousand choice troops, the oft-promised "relief" for the garrison at Yorktown.

October 17

Music

1781 Cornwallis at once sent a flag of truce with a request for a cessation of hostilities and the appointment of two

A Flag of Truce

Moore House at Yorktown

officers on each side "to meet at Mr. Moore's house to settle terms for the surrender." Washington granted two hours for the submission of proposals in writing; in the afternoon, the proposals were received and the flag returned with the ultimatum of the American commander; the ultimatum was accepted and the commissioners were appointed. The articles of capitulation were drawn up on the eighteenth and signed on the nineteenth. The general conditions of surrender were the same that had been forced on Lincoln at Charleston the year before. The land forces became prisoners of the United States and the naval forces passed into the hands of the king of France. The original document is with the Knox manuscripts deposited with the New England Historic-Genealogical Society at Boston.

The Surrender of Cornwallis

The ceremony of capitulation took place on the same day. At noon, one redout was delivered to the French grenadiers and another to the American infantry; at one o'clock, the Gloucester works were given up; at two o'clock, the British garrison at Yorktown marched out as prisoners of war, with new uniforms but with colors

1781

cased and drums beating the old English march, *The World Turned Upside Down.* Along Hampton road between the lines of the allies they marched; on the right were the Americans with the war-worn continentals in front and the worse clad militia in the rear; on the left were the French troops in their bright uniforms and with their plumed and decorated officers and their beautiful banners of white silk embroidered with golden fleurs-de-lis. Knox, Steuben, Lincoln, and Lafayette were there; Rochambeau was there; Washington was there; but Cornwallis was not there. Pleading

Charles, Earl Cornwallis, Lieutenant-general in the British Army
(Reproduced in reduced facsimile of original painting by Copley, in Guildhall, London)

Epaulets worn by Washington at Yorktown

1781 sickness as his excuse, the British commander sent his sword by General O'Hara to Washington who assigned to General Lincoln the honor of receiving it. Lincoln took the sword in token of Cornwallis's surrender and gave it back in token of Washington's generosity. In a field beyond was a circle of French hussars. Into this circle, each British regiment marched. "Present arms! Lay down arms! Put off swords and cartridge boxes!" And bronzed cheeks were wet with tears. Then back between the double lines, the vanquished veterans marched into the town.

Losses and Trophies

Medal issued by Congress to Commemorate the Surrender of the British at Saratoga and Yorktown

The number of officers, soldiers, and seamen captured during the siege or surrendered was about eight thousand. Most of these were marched to the prison camps at Winchester and Frederick. They were soon removed to York, Pennsylvania, where they remained until the end of the war, after which many of them became American citizens. Among the trophies were seventy-five brass and sixty-nine iron cannons. Eighteen German and six British regimental standards were given up. The British troops outnumbered the Hessians more than two to one, but the colors surrendered were only a third as many; the discrepancy calls to mind the abduction of the British flags after Burgoyne's surrender at Saratoga. The total British loss of men during the siege was five hundred and eighty-two killed and wounded and seventy missing. On the other side, the loss in killed and wounded was one hundred and eighty-six for the French and eighty-eight for the Americans.

General Joy

Lieutenant-colonel Tilghman of Washington's staff bore the glad news northward as fast as horse could travel.

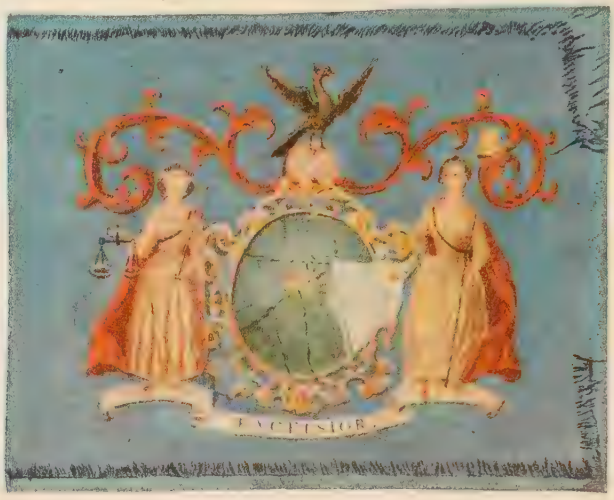
ANSBACH-BAYREUTH COLOR

(This Ansbach-Bayreuth flag is one of three surrendered at Yorktown and preserved to this day. It now hangs in the chapel of the United States Military Academy at West Point. The illustration shows its present appearance. Mr. Gherardi Davis, in his *Regimental Colors in the War of the Revolution* (limited edition, privately printed, 1907), gives illustrations and detailed description of all of these)

SURRENDER OF CORNWALLIS AT YORKTOWN

(Close facsimile of the original picture painted by John Trumbull in 1787. It is now in the Trumbull Gallery, Yale University, New Haven, Connecticut)

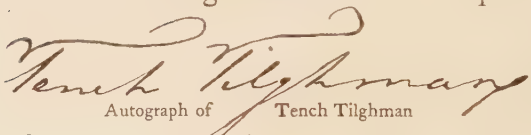
1781 He reached Philadelphia after midnight of the twenty-fourth and the city watchman proclaimed the tremendous



Colonel Peter Gansevoort's Third New York Regiment Flag, made in 1778 or 1779 and carried at the Siege of Yorktown

(Reproduced from a carefully colored photograph of this flag by courteous permission of Mrs. Abraham Gansevoort Lansing, of Albany, N. Y.)

tidings. "Basht dree o'glock, und Gorn-wal-lis isht da-ken." Congress received the dispatches in the morning and attended prayers at the Lutheran church in the afternoon. In the evening, the day's rejoicings were ended by a grand illumination of the city. Heath's army in the Highlands gave almost a week to celebrations and camp banquets with "continental menu." Harvard and Yale glowed with bonfires, orations, and triumphal hymns. The whole country bathed in joy, for peace and independence were in sight. Congress ordered "that there should be a marble monument erected at Yorktown to commemorate the alliance between France and the United States and the victory achieved by their associated arms." In 1796, an impatient and unphilosophic Frenchman wrote: "It is not even yet begun.

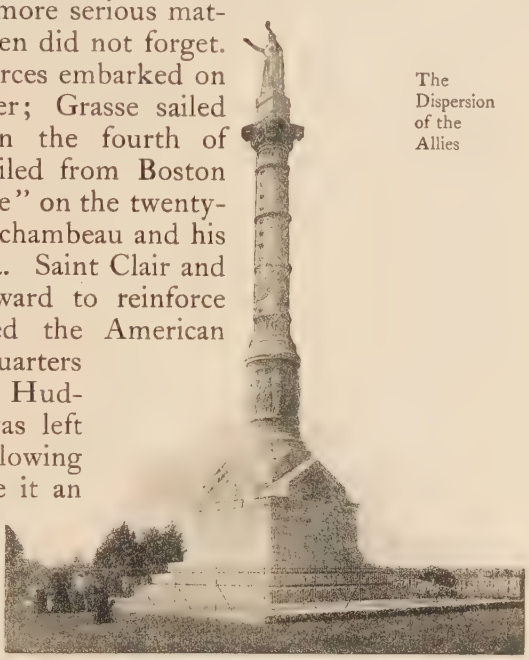


Autograph of Tench Tilghman

. . . Such negligence is inconceivable, shameful, and unaccountable." The Revolutionary generation of Americans had on hand more serious matters, but their grandchildren did not forget. 1781 1782

The Dispersion of the Allies

Saint Simon and his forces embarked on the thirty-first of October; Grasse sailed for the West Indies on the fourth of November; Lafayette sailed from Boston for France in the "Alliance" on the twenty-second of December; Rochambeau and his army remained in Virginia. Saint Clair and Wayne were sent southward to reinforce Greene, and Lincoln led the American main army into winter quarters in New Jersey and on the Hudson. Thus Yorktown was left almost alone. In the following century, another war gave it an ephemeral importance after which it again dropped into rustic obscurity. "In fact, it seems to be the lot of Yorktown that, the more it becomes a historical spot, the less it becomes anything else."



Yorktown Monument

Greene after Yorktown

After the battle of Eutaw Springs, General Greene had retired with his army to the High Hills of the Santee. He had been roughly handled, but after the arrival of reinforcements that Washington sent, he again took the offensive. On the nineteenth of November, he abandoned the High Hills and advanced to the Edisto between Charleston (where the British were) and Jacksonboro (where the South Carolina legislature was). In February, 1782, he sent Wayne into Georgia and the British retired to Savannah. The condition of Greene's troops became deplorable; many of them could not leave their tents for want of clothes. Their privations made them bitter even to the edge of mutiny while the

1782 seizure of necessary supplies so irritated the people that they were almost ready to fight with those who had been fighting for them. The situation demanded great tact and some severity on the part of the commanding general.

The End of Military Operations in the South

The British had evacuated Wilmington in January, 1782, and, on the eleventh of July, they took their leave of Savannah carrying not fewer than five thousand negroes with them. On the seventh of August, General Leslie announced that the evacuation of Charleston had been determined on. Greene declined Leslie's proposition for a cessation of hostilities and his offer to pay for provisions that might be brought into Charleston. Then Leslie tried to seize what he was not permitted to buy. One of his foraging parties, led by Lieutenant-colonel Benjamin Thompson (a native of Woburn, Massachusetts, and later well known in the scientific world as Count Rumford), surprised and dispersed Marion's brigade while that partisan chief was in attendance at the legislature. The younger Laurens who had "winged" General Charles Lee in a duel was killed in a skirmish with one of these foraging parties at Combahee Ferry. In the guerrilla warfare that was kept up in some parts of the South, the irate Whigs exacted a fearful vengeance of the Tories. On the fourteenth of December, Charleston was evacuated and Greene marched into the city at the head of his army. Three days later, the last British ship passed the bar. The whole South was now free from British domination. To the victors of King's Mountain and the Cowpens, to the strategical genius and untiring labors of Greene, and to Marion, Sumter, Pickens, and other partisan leaders and their followers belongs the credit for the redemption of the South.

Autograph of John Laurens

August 27

Appreciation of Greene

It is impossible to say what General Greene might have done with more ample resources, but his campaigns have been pronounced comparable with the best work of

Turenne or Wellington, and Alexander Hamilton said that his qualifications for statesmanship were not less remarkable than his military ability. Congress marked its appreciation of his brilliant conduct by a gold medal and a vote of thanks, South Carolina voted him ten thousand guineas, Georgia gave him the confiscated plantation of Lieutenant-governor John Graham, and North Carolina made a grant of wild lands. In the summer of 1783, when his army had been disbanded, he journeyed homeward and was greeted at Philadelphia by congress and everywhere by an enthusiastic people. His estate had been seriously impaired by the war and he was burdened with pecuniary responsibilities incurred through the dishonesty of an army contractor for whom he had become security. In 1785, he removed to his Georgia plantation at Mulberry Grove, a few miles from Savannah, where his death was soon caused by a sunstroke. On the following day, the body was taken to Savannah and placed in one of several similar vaults in the old cemetery. Later, there were stories of removal, and, for a century, the exact resting-place of the remains was a matter of much mystery. In 1900, the Rhode Island society of the Cincinnati appropriated money to cover the expenses and appointed Colonel Asa Bird Gardiner a committee to direct a search that proved successful. The corroded coffin-plate, being subjected to careful scientific and photographic treatment, gave up the following inscription:

1782
1783

Greene's Monument at Savannah

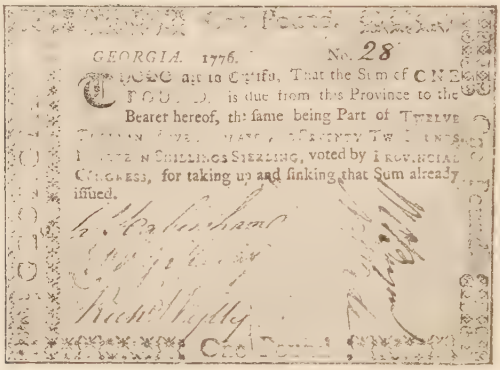
NATHANAEL GREENE
Obit June 19 1786
Æ 44 years

CHAPTER XV

THE SINEWS OF WAR

Continental Financiering

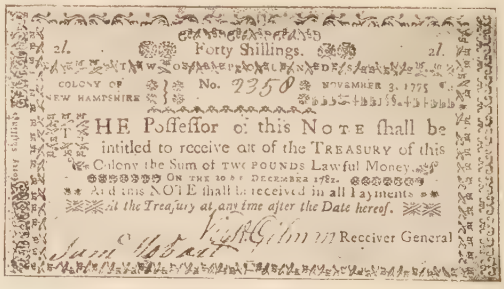
THE colonies had little surplus capital and the continental congress had no coercive power. It could apportion loans and taxes, resolve, implore, and promise—little more. As the war went on, congress sought the necessary financial support in four different ways: bills of credit, requisitions upon the states, loans, and taxation. The total result was far from being satisfactory.



Georgia Currency of 1776

Bills of Credit

When congress, in 1775, began to issue bills of credit, as recorded in the preceding volume, it was intended that the amount should be small, but paper


Forty Shillings.
COLONY OF NEW HAMPSHIRE
No. 9350
NOVEMBER 3, 1775
THE Poſſeſſor of this NOTE ſhall be intitled to receive out of the TREASURY of this Colony the Sum of TWO POUNDS Lawful Money
ON THE 10th DECEMBER 1782.
And this NOTE ſhall be received in all Payments at the Treaſury at any time after the Date hereof.
Receiver General

New Hampshire Currency of 1775

was comparatively cheap and printers were reasonably plentiful. An issue of six million dollars was authorized in 1775; nineteen millions in 1776; thirteen millions in 1777; sixty-three millions in 1778; and one hundred and forty millions in 1779. The volume of paper currency afloat was increased by state issues of more than two hundred million dollars, of which more than half was authorized by Virginia. Furthermore, the notes were counterfeited on a large scale, not only by undesirable citizens of American birth but also by the British who deliberately engaged in the work. Depreciation was inevitable; congressional resolutions and state legislation were tried in vain; every additional note lessened the current value of each of its predecessors. By January, 1779, it required eight dollars in bills to buy one dollar in specie; by December, the ratio was forty. Washington scarcely exaggerated when he wrote to John Jay "that a wagon-load of money will scarcely purchase a wagon-load of provisions."

1775 1780

Thirty-dollar Bill of 1775

$209,524,776

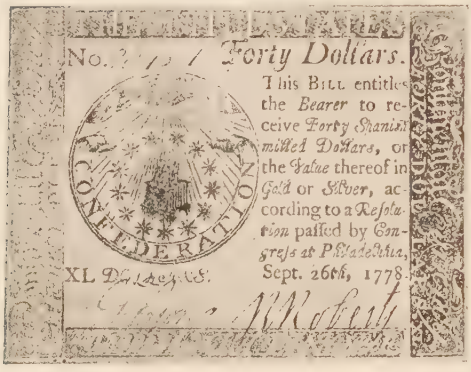
THE UNITED STATES
No. 22365 Forty Dollars.
This BILL entitles the Bearer to receive Forty Spanish milled Dollars, or the Value thereof in Gold or Silver, according to a Resolution passed by Congress at Philadelphia, Sept. 26th, 1778.
XL DOLLARS.
THE UNITED STATES
No 6,767 Forty Dollars.
This BILL entitles the Bearer to receive Forty Spanish milled Dollars, or the Value thereof in Gold or Silver

Genuine and Counterfeit Continental Bill
(From *Harper's Magazine*)

1780
1781

New Tenor Notes

Congress was slow to admit that its money had depreciated, but finally, in March, 1780, it publicly acknowledged the fact and fixed the ratio between paper and specie at forty. It also asked the states to pay in fifteen million dollars a month in the old bills for thirteen months; the bills thus received were to be destroyed and replaced with new tenor notes to an amount not to exceed one-twentieth of the face value of the former issue. About one hundred and nineteen million dollars in the old notes were turned in and canceled but only four million four hundred thousand dollars in the new tenor notes were issued.


Forty Dollars.
This Bill entitles the Bearer to receive Forty Spanish milled Dollars, or the Value thereof in Gold or Silver, according to a Resolution passed by Congress at Philadelphia, Sept. 26th, 1778.
CONFEDERATIO
XL

Not Worth a Continental

Continental Currency of 1778

Meanwhile, the old tenor bills depreciated more rapidly than ever. In October, 1780, Indian corn at Boston cost one hundred and fifty dollars a bushel; and a barrel of flour, fifteen hundred and seventy-five dollars; even the impecunious Samuel Adams paid two thousand dollars for a suit of clothes and a hat. By January, 1781, it was difficult to pass the bills at any discount; by May, they had practically ceased to circulate, though for a time they were bought and sold as a speculation at prices as low as a thousand to one or even lower. Barbers' shops were papered with the bills, sailors turned loss into frolic by parading the streets in clothes made of the printed paper, and a Philadelphia wag smeared his

dog with tar and blanketed him with the worthless bills. 1776
The still-enduring phrase, "not worth a continental," is 1783
an embalmed fragment of the early financial history of the United States.

Requisitions

In November, 1777, congress began making requisitions upon the states for the support of the central government, the amount asked from each being roughly apportioned to the population. Requisition followed requisition, but the states were lax in payment and prolific of excuses. Up to the sixth of October, 1779, the requisitions amounted to ninety-five million dollars and yielded fifty-four million dollars in paper worth less than two million dollars in specie. From that time, the requisitions yielded about three million dollars in specie. In 1780, congress inaugurated a policy of asking for specific articles, such as pork, beef, flour, salt, hay, corn, and rum; even these were not furnished with regularity.

Domestic and Forced Loans

Congress found it almost as difficult to obtain money on domestic loans as to maintain the par value of its notes. The total subscriptions to these loans probably did not amount to eleven million dollars. Payment of interest was very uncertain and, after the first of March, 1782, was made in certificates of indebtedness. So great were the needs of the army that the impressment of horses, wagons, and supplies was frequently resorted to, certificates of value being given in exchange. The exact amount of these certificates will never be known. In 1790, Hamilton, then secretary of the treasury, estimated the amount outstanding at more than sixteen million dollars.

Foreign Loans

Whenever possible, money was borrowed abroad. The secret assistance rendered by France through Beaumarchais has already been mentioned. After she entered the conflict openly, subsidies amounting to nearly two million dollars were granted and more than six million dollars was loaned. More than a million dollars was obtained in Holland and a little in Spain. Most of these loans were made only after great persistence. There is abundant evidence that our allies thought the

1776 1783 Americans unduly eager to shift the financial burden of the war to their shoulders. Congress even drew bills upon its foreign agents simply hoping that they would find some way in which to meet them. Some of these bills went to protest.

Taxes

As explained in an earlier chapter, the continental congress had no effective power of taxation and the articles of confederation did not make the matter much better. The several states had the exclusive power of levying taxes; even tariff taxes were under state control. In 1781, congress proposed a duty of five per cent. upon imports, but Rhode Island persisted in her opposition and killed the project. In 1783, there was a proposal of specific duties on certain classes of goods and ad valorem duties on other imported commodities, the revenue to be used in payment of the interest on the public debt, but New York would not give the consent that was necessary.

Mercantile Ventures and Lottery

Among the other devices tried by congress for raising money were the buying and sending abroad of cargoes of tobacco and other products and even the creation of a lottery. Lotteries were then regarded as legitimate; there are New England churches standing today that were partly built with funds raised in this manner. As the government's lottery tickets were sold for specie only and the prizes were payable in treasury bank-notes, or in certificates payable in five years with interest at four per cent., the public did not become very enthusiastic and little money was realized from the undertaking.

Robert Morris

For a time, the finances of the country were managed by congressional committees and boards of control, but this administrative machinery proved so weak and ineffective that power was concentrated and Robert

February 20, 1781

Morris was appointed superintendent of finance. This remarkable man, a native of Liverpool, had come to America in 1747 and was now one of the merchant princes of Philadelphia. He was a member of both the first and the second continental congresses and was a signer of the declaration of independence. After the flight

of congress from Philadelphia in December, 1776, he was appointed one of the committee of three that exercised authority there. He rendered important financial assistance during Washington's glorious winter campaign in the Jerseys, and during most of the war acted as the chief fiscal agent of the government. After becoming superintendent, he established the Bank of North America to assist the government in its financial operations. He labored strenuously to obtain money and supplies and, in critical emergencies, contributed freely from his own resources. He endeavored to abolish complicated business methods and corrupt financial administration and to awaken the people to the needs of the government. But he found that the effort to arouse the patriotic conscience of the legislatures was "like preaching to the dead." 1776 1783

Rochambeau's Little Loan

A good idea of the shifts to which Morris was sometimes obliged to resort may be obtained from an incident of the Yorktown campaign. The proposed expedition was somewhat disagreeable to the northern troops and Washington wrote to the superintendent that "a *douceur* of a little hard money would put them in a proper temper." Morris had already had great difficulty in obtaining supplies for the project and could think of no source from which the money could be obtained except Rochambeau, the French commander. Accordingly, he cultivated the good will of the French minister, entertained Rochambeau in Philadelphia on his way southward, and, on the fifth of September, 1781, asked him for a loan of twenty thousand dollars until the first of October. Rochambeau finally provided the money, but when the first of October came, Morris was unable to repay the loan and was obliged to ask for an extension of time. He was not able to repay even a part of the debt until the middle of November.

The Total Money Cost

The cost of the Revolution to the central government has been variously estimated, but it was probably in the neighborhood of eighty-two million dollars, specie value. In addition, the states probably expended eighteen or twenty million dollars more, some of which

1776 1783 came from the confiscated estates of Tories. Of the eighty-two millions, about thirty-eight millions represented the continental currency; about eight millions came from foreign subsidies and loans; about eleven and a half millions from domestic loans; the certificates of indebtedness aggregated about sixteen and a half millions; the rest was obtained from the states and from various other sources. The exact total cost can never be known; Jefferson estimated it as high as one hundred and forty million dollars. At the end of the war, the unpaid debt was, probably, not far from forty-two million dollars. This sum seems small to a people who have easily carried a war debt of three thousand million dollars and who pay two hundred million dollars in 1908 one year for their postal service, but it was simply appalling to the Americans of that day. They had no one who could divide his estate and pay the forty-two millions with the moiety and there were many who really thought that the debt never could be paid.

CHAPTER XVI

THE TORIES IN WAR TIME

American Tories

THAT the Revolutionary struggle lasted as long as it did and that it gave rise to so many excesses was largely due to the existence of a party that remained loyal to the king. This was so well understood by the patriots that no epithets were too strong to express their hatred and scorn for the loyalists—"friends of government" they called themselves. Even Washington did not measure words when referring to "the enemies of the liberties of their country." In a letter describing the plight of the thousand Tories whom Howe took away from Boston he said that "one or two have done what a great number ought to have done long ago—committed suicide."

1776

Reparation

It is difficult for many, even now, to look at the question as one that has a second side. But not all of the loyalists were despicable and unprincipled, and not all of the patriots were magnanimous and heroic. Between the bad and the good were others of "every grade of respectability and of every shade of moral meanness." We do not find it necessary to question the intelligence, respectability, public virtue, and moral worth of the exiled Saltonstalls, Sewalls, and Winslows, men who believed that calm remonstrance would right all wrongs and whose loyalty was based on dread of anarchy and reverence for constitutional order.

Paine's Classification

Thomas Paine classified the Tories as "Interested men, who were not to be trusted. Weak men, who

1775
1783

cannot see. Prejudiced men, who will not see. A certain set of moderate men, who think better of the European world than it deserves." Among the "interested men" were the crown officials whose incomes were in danger and whose loyalty was, in many cases, strengthened by official oaths. Others of this class were merchants who were injured by non-importation agreements and saw their profitable business ruined by disorder. In New England and New York and, in a less degree, in Maryland, the marked loyalty of the Anglican clergy and their parishioners added sectarian bitterness to partisan rancor. Of course, believers in the divine right of kings were Tories, as were those who felt that parliament had a right to tax the colonies. In general, those who were well endowed with the world's goods were inclined to hold aloof from the patriot cause. In some colonies, factional struggles determined the alignment of families and parties. In New York, for example, the DeLancey party was loyal partly because the Livingston party was not. In all the colonies, many were Tories because they were convinced that the patriot cause was foredoomed to failure; they had no desire to risk their property and heads in a losing cause. There were also many vicars of Bray, Tories or Whigs according to the varying fortunes of the war. Others who sympathized with resistance to oppression drew back from independence with its unknown dangers as from the brink of a precipice.

Thomas Jones, of New York, a Prominent Loyalist

The patriots realized their danger from the loyalists and used all sorts of methods to convert them or to make them harmless. As the conflict grew more heated, wordy abuse and social ostracism developed into physical violence and destruction of property. Coaches were burned, goods were destroyed or stolen, effigies were hung, while, in all the rebellious colonies, tar and feathers became the accepted antidote for Toryism. Private spite often played its part, though the object usually avowed was the conversion of the Tory. As Doctor Ellis says, "the ordeal oftener failed than succeeded in making patriots." 1775 1783 Quack Prescriptions

At the beginning of the war, General Gage had proclaimed that all who assisted the insurgents or corresponded with them should be treated as rebels, and the Massachusetts legislature, with equal resolution, declared that all who aided the officers of the British government should be held guilty of high treason. In times of peace, "he that is not against us is for us," but, in times of war, "he that is not for us is against us." Thus it came to pass that tolerant forbearance went out of the colonies and even free speech was suppressed. At first, the persecution was largely the work of mere mobs; then the work was taken up more systematically by the revolutionary committees. "The committees sent Patriot newspapers and other propaganda to the wavering or obstinate, but seldom failed to follow this system of conversion with a personal interview if the literature failed. When the political sentiment of a whole community was in doubt, special committees, or in some cases clergymen of Whig views, were appointed to confer with the inhabitants upon the subject of American freedom." Systematic Treatment

The Tory who lived in territory controlled by the American forces was lucky if he suffered nothing worse than a political quarantine in his own house or yard. Hundreds were imprisoned along with common thieves and murderers, and not a few realized the horrors of the underground prison at Simsbury. Often Tories were exiled to places where they could not give aid and com- Tory Prisoners

1775 fort to the enemy; practically whole communities were
1783 thus removed into sister states. Something resembling "reconcentration camps" were occasionally established and the management thereof put into the hands of coarse and brutal men who ill-treated the prisoners.

Refugees

The lot of those who escaped to the British lines was often not much more enviable. As a general thing, they took with them but little money and that was soon spent. Many were reduced to abject want. In the summer of 1778, Sir Henry Clinton wrote that nothing was more distressing to him than the applications he hourly received from refugees. Some relief was rendered by the British government and thousands entered the civil or the military service of the king. Those who went to England suffered perhaps even more than those who remained in America, though a few prospered and rose to high station. They ranged "all the way from Governor Penn who had lost a province down to a tidewaiter who had been robed in a suit of tar and feathers," and the eyes of all were fixed upon the treasury. In his *History of England*, Massey says that their claims "were undeniable, but they were claims upon Great Britain, not upon the American States." The majority found London to be a "sad lickpenny" where, one of them declared, they "could not breathe the vital air without heavy expense."

Their Legal Status

As early as the spring of 1776, the continental congress recommended that the colonies should disarm persons "notoriously disaffected to the cause of America." Connecticut had already made it an offense subject to fine, imprisonment, or disfranchisement to libel or to defame congress or the acts of the assembly. Other states followed with similar harsh enactments. In five states, loyalists were directly disfranchised or rendered ineligible for office. Members of the proscribed class were denied recourse to the courts of law; they could not even buy or sell land or make a will. Lawyers who refused to take the oath of allegiance were not permitted to practice in courts and, in Pennsylvania,

persons refusing the oath were forbidden to act as professors, masters, tutors, or schoolmasters. Imprisonment or death was the punishment for affirming the king's authority; "no word was tolerated against the raising of a Continental army, and not a whisper derogatory to Continental money." In eight states, prominent Tories were formally banished while, in others, the same end was attained by some other form of legal effect or by "a good and wholesome law of tar and feathers." Early in 1777, every state except South Carolina and Georgia attainted "divers traitors," and "traitor" meant any one who adhered to the king. In Pennsylvania the "black list" contained the names of four hundred and ninety persons, most of whom left Philadelphia with the British; some of those who fell into American hands were convicted and executed. 1775 1783

Property, Plunder, and Confiscation

Many of the Tories were persons of wealth upon whose property the Whigs cast covetous eyes. Their personal property was often raffled off by the town authorities and the militia plundered without ceremony. "Horses, cows, poultry, and every movable possession of a Tory became regarded as contraband of war." Men tried for theft found "that the act was condoned if the victim had been *mistaken* for a Tory, and altogether excused if actually shown to be of that political persuasion." In time, the idea developed that the estates of Tories should be confiscated to furnish funds to carry on the war and, late in 1777, congress advised the states to adopt such a policy. In spite of rampant corruption, great sums came into the state treasuries. In New York alone, more than three and a half million dollars' worth of property was thus seized and much more escaped only by reason of the fact that it lay in or about New York City, or on Long Island or Staten Island where the British remained in control until the zeal for confiscation had somewhat abated.

Political Inactivity

Had all who openly or secretly sided with the king exerted themselves as vigorously for him as the patriots did against him, the task of putting down the revolt

1775 1783 would have been easy. But the loyalists lacked organization and initiative. Instead of taking part in colonial politics, they looked on and frowned. Had they shown real activity, they might have blocked the choice of delegates to the continental congress as, indeed, they did in a few places. Then and there, they lost their last political opportunity. After the declaration of independence, "every Tory was an enemy in camp, a suspected traitor and a wretch to be charged with all the ills of the state." Loyalty to the king had become treason to the country.

In New York

With Howe's capture of New York, that city became a haven of refuge for the persecuted; the mass of fugitives constantly grew in size and in hopeless dependence upon British charity. Some of the more influential obtained dignified employment in the civil service. Many of the others would gladly have taken up arms, but it was several years before the British officers recognized the value of the loyalists as provincial militia. "The expectation that the hour of complete victory was imminent acted also to prevent the early enlistment of the Loyalists, because there was no wish to embitter their relations with the 'rebels' with whom they would soon return to live."

Tory Troops

Even when the war had actually begun, the tendency of the Tories was to rely upon the king's troops to put down the rebellion and to protect them in their rights, rather than to act vigorously themselves. This tendency was as natural for them then as it is for law-abiding citizens today to look to the constituted authorities for the repression of mob violence. Still, there were some attempts to assist the British troops. At the very beginning of hostilities, two hundred Tory merchants and traders in Boston volunteered their services and were enrolled. Later, three companies of Loyal American Associators were formed in Boston, as were a company of Loyal Irish Volunteers and a company known as the Royal Fencible Americans. About the time that Howe was driven from Boston, the loyalists of North Carolina were rising; as already told,

they were dispersed at the battle of Moore's Creek Bridge. In the first year of the war, the loyalists also displayed some activity in Virginia, Maryland, New Jersey, and in New York where a regiment of Scotch refugees and old soldiers was raised by Allan McLean and Guy Johnson and hurried into Canada. 1775 1783

The Loyalist Militia

Early in 1776, Sir John Johnson organized fugitive loyalists and hung on the northern frontier of New York. In the year following, Johnson's "Loyal Greens" and Butler's "Tory Rangers" served under Saint Leger and fought in the battle of Oriskany. Later, they ravaged the frontier and wrought fearful havoc in the Wyoming, Cherry, and Mohawk valleys. After Howe at New York had decided to enlist Tories, Tryon, the exiled governor, was appointed major-general of provincial forces and began the work of recruiting. In 1777, Edmund Fanning, Tryon's son-in-law, organized "The King's American Regiment" of which he became the commander. Early in 1779, concessions as to the rank of provincial officers on service with regular troops were made and it was provided that those who were wounded should receive the same gratuity as officers of the regular army. It is said that the number of loyalist troops mustered on one occasion exceeded that of Washington's whole army. To this loyalist militia were left the small expeditions to burn and pillage towns, petty attacks that aroused the virulent hatred of the patriots. Tryon's expedition against Fairfield, Norwalk, and New Haven, in 1779, was one of their undertakings. In 1780, the

Button of Butler's Rangers
(From collection of W. L. Calver)

Cross-belt Plate of Butler's Rangers, found at Fort George, Canada, opposite Fort Niagara, New York
(From collection of W. L. Calver)

Button of the King's American Regiment
(From collection of W. L. Calver)

1775 1783 loyalists were so numerous in New York that they were encouraged by the British government to form an association of their own independent of the British commander. Thus, William, the son of Benjamin Franklin and lately the Tory governor of New Jersey, became the head of "The Honorable Board of Associated Loyalists." The three bands organized by the "Honorable Board" were armed at the expense of Great Britain, but its members fed and clothed themselves by plundering the rebels of Connecticut, Long Island, and New Jersey. By way of retaliation, similar "Commissions" were issued by the rebels. The freebooters on both sides quickly established amicable relations and carried on their work with little difference in methods or morals.

Sympathetic Service

Other loyalists found employment as spies or were sent to proselyte among their old friends and neighbors. Washington frequently denounced their "diabolical and insidious arts and schemes." Congress advised the states to seize all suspected British emissaries who were scattered through the country "under various pretenses of amusement and business, whereby they are enabled to spread disaffection, intimidate the people by false news, and depreciate the currency of the United States." Tories who had remained at home were also of service to the British, furnishing information, stealing powder and salt, supplying provisions and horses, distributing proclamations, and depreciating the continental currency both by refusing to accept it and by spreading counterfeits. More than once the local militia, when sorely needed at the front, were kept at home by fear of a fire in the rear, a Tory insurrection.

Tory Privateers

Yielding to the importunities of Tryon, the British government began, in 1779, to issue letters of marque and reprisal; in a short time, alluring broadsides urged the refugees to call at some named rendezvous and there "learn the advantages of this or that superb and elegant ship." A station at Lloyd's Neck was assigned to the fleet of associated loyalists and thence they made attacks along the whole New England coast. "So

many of these marauding ventures went forth under the cover of night that 'owls and ghosts, and thieves and Tories' came to be clearly associated in the Whig minds." 1775 1783

The Southern Tories

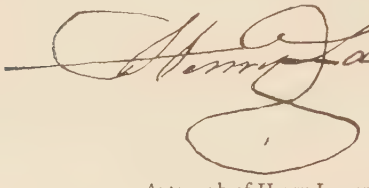
In the opinion of Professor Van Tyne, fifty thousand loyalists were drawn into the military service of Great Britain. Practically all the frontier warfare was carried on by Tory bands in league with Indians, a warfare that did not much exceed in bloodthirstiness the conflict between Whig and Tory in the South where the war was largely a conflict between neighbor and neighbor and replete with brutal outrage and murder in which neither party can be fairly said to have surpassed the other. In the warfare that followed the capture of Charleston, Tarleton's "Loyal Legion," raised in New York, played a prominent part, and Simcoe's "Queen's Rangers" made a reputation that has not yet faded away. There were nearly two thousand four hundred Tories in the army that defeated Gates at Camden. All of Ferguson's force at King's Mountain were loyalists and the army with which Arnold raided Virginia was composed chiefly of loyalists enlisted in New York. After the great victory at Yorktown, partisan warfare continued in the debatable region around a few posts like New York and Charleston until news came "that a treaty of peace was being negotiated, accompanied by the fearful rumor that the Loyalists were to be abandoned to their fate." How that fate was shaped after the coming of peace will be told in a later chapter.

CHAPTER XVII

PEACE

The American Commissioners

AS early as September, 1779, John Adams had been empowered to negotiate a peace; in June, 1781, congress named four additional commissioners, Benjamin Franklin, John Jay, Henry Laurens, and Thomas Jefferson. Their instructions contained two positive conditions, independence and the preservation of the treaties with France, and they were required "to make the most candid and confidential communications upon all subjects to the ministers of our generous ally, the king of France; to undertake nothing in negotiations for peace or truce without their knowledge or concurrence; and ultimately to govern yourselves by their advice and opinion." Herein appears the hand of Luzerne, the French minister to the United States, but, as we shall see, the bonds did not bind. For a time, Franklin was alone at Paris where the negotiations were carried on; Adams was in Holland, Laurens was a prisoner in England, Jay was in Spain, and Jefferson declined the appointment. In June, 1782, Jay joined Franklin who had written: "Spain has taken four years to consider whether she should treat with us or not. Give her forty, and let us in the meantime mind our own business."



Autograph of Henry Laurens

June 23

Tidings of Yorktown reached London on Sunday, the twenty-fifth of November. The Whigs were delighted; the king and ministry were overwhelmed. Lord North received the news "as he would have taken a ball in his breast" and paced up and down the apartment exclaiming wildly, "Oh God! it is all over!" Germain sent a

1781 London Gets the News

John Jay, John Adams, Benjamin Franklin, Henry Laurens, Temple Franklin

The American Peace Commission of 1782

(Facsimile reproduction of Benjamin West's unfinished painting owned by Lord Belper of Kingston Hall, Kegworth, Derby, England. Copyright, 1909, by The Burrows Brothers Company)

dispatch to the king at Kew and the king sent back an answer by the same messenger. "The king writes," said Lord George, "just as he always does, except that I observe he has omitted to mark the hour and the minute of his writing, with his usual precision."

The king well knew that to assent to any peace that would acknowledge American independence would mean the downfall of the system of personal government that

Lord North Resigns

1782 he had reared with great trouble. Parliament continued for some months to support the king and ministry, but the pressure of public opinion gradually undermined their majority. On the twenty-third of February, 1782, the commons rejected by only one vote Conway's motion to petition the king to end the American war. A few days later, the ministry lost a motion to adjourn and found it expedient to accept a pending motion declaring against the further prosecution of offensive war in America. On the fifth of March, a bill was passed enabling the king to make a peace or truce. Lord North resigned on the twentieth of March, 1782, "a day of good omen for men of English race on both sides of the Atlantic."

Freedom for a Race

Lord North's fall marked a revolution in English politics. With him went all purpose of conquering America and all hope of maintaining the personal and arbitrary government of George III. That England has popular government today is due in no small measure to the American patriots. "The decisive battle of freedom in England, as well as in America, and in that vast colonial world for which Chatham prophesied the dominion of the future, had now been fought and won."

The Rockingham Ministry

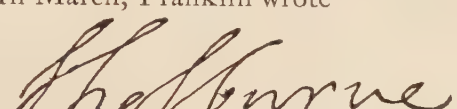
March 22

After threatening to retire to Hanover and making overtures to other leaders, the king accepted the marquis of Rockingham, the influential leader of the Old Whig aristocracy, as the head of a new cabinet with Shelburne and Fox as the principal secretaries of state. Of all the experiences of George III., this was, perhaps, the bitterest. North is said to have remarked that he had often been accused of issuing false bulletins, but he had never issued one so false as that in which he announced the entrance of the new ministry into power; in introducing the name of each member, the bulletin used the words, "His Majesty has been pleased to appoint."

Autograph of Rockingham

Rockingham took office upon condition that the independence of the United States should be acknowledged. As secretary for the colonies, Shelburne claimed that the negotiations pertained to his department, while Fox, the secretary for foreign affairs, claimed that they should be conducted by himself. Shelburne and Fox were politically and personally hostile, but Shelburne and Franklin were warm friends. In March, Franklin wrote to Shelburne expressing a hope for the restoration of peace, and Shelburne sent Richard Oswald over to Paris as his personal representative to ascertain informally on what terms the Americans would make peace. Oswald was a retired Scotch merchant with no diplomatic experience, but a "very honest and sensible man." The wrangling of the secretaries was finally compromised by continuing Oswald as Shelburne's representative with Franklin and by sending Thomas Grenville, the son of the author of the stamp act, as Fox's negotiator with Vergennes.

1782 Peace Negotiations Begun



Autograph of Shelburne

In April, 1782, Franklin had several informal interviews with Oswald concerning "necessary" and "advisable" terms of peace with England, the memoranda of which Franklin put in writing. With these notes and a letter from Franklin to Shelburne, Oswald returned to London. In these first proposals, Franklin asked for American independence as a step toward "reconciliation" and that England should make "reparation" for the destruction of villages and towns; with refreshing courage he also suggested that England should, of her own accord, give up Canada and Nova Scotia, thus making it possible to indemnify Americans for their losses of private property in the war and to repay the Tories for their confiscated estates.

Franklin's First Proposals

On the twenty-third of April, the cabinet decided to send word by Oswald that Great Britain would grant American independence in return for a peace on the basis of the treaty of 1763; Grenville was to make a

The British Answer

1782 similar statement to Vergennes. Shelburne also told Oswald to inform Franklin that reparation was not to be thought of, that England must hold to the Penobscot River, that the debts owed by Americans to British subjects must be secured, that the loyalists must be restored to a full enjoyment of their rights, that compensation would be expected for the surrender of New York, Charleston, and Savannah which were then held by the British, and that, if America was to be independent, she must really be so—there must be no "secret, tacit, or ostensible connection with France." As to Franklin and Shelburne, each shrewd bargainer had begun by setting his terms high. As to Vergennes, the

May 8 proposition borne to him by Grenville caused a smile. The granting of an independence that was already assured was scant compensation for the sacrifices that France had made. The French minister had no idea of giving up the West India Islands that France had taken from England and was then eagerly expecting word that Jamaica also had been won; when word from the West Indies came, it did not have the expected flavor. As to the recognition of independence, England must treat directly with America. Grenville was disappointed, but the British ministry took Vergennes at his word—literally.

An Offer of Independence

After his interview with Vergennes, Grenville had a talk with Franklin and then suggested to Fox that it might be well to grant independence in the first place "instead of making it a conditional article of general treaty." On the twelfth of April, Rodney had defeated the French fleet in the West Indies and captured Grasse, its commander, but the story had not been told on either side of the English Channel when Vergennes returned the haughty answer just recorded. A few days later,

May 18 news of the victory was received at London and the city went wild in a Britannia-rules-the-wave sort of jubilee. On the twenty-third of May, the cabinet determined to propose the independence of America "in the first instance" as Grenville had suggested, but the king

and Shelburne wanted to set a price on the grant and seemed to think that a compromise was still possible. At Paris, was Grenville with authority to treat only with France, and Oswald with credentials only to Franklin. Without an enabling act, Oswald could not treat at all, for British subjects were prohibited from entering into negotiations with the revolted colonies. But both agents could talk informally with Franklin to whom Grenville explained that the defect of his commission was purely accidental. This gave color to Vergennes's insinuations of British bad faith and aroused Franklin's suspicions of an attempt to separate the allies. 1782

The End of the Rockingham Ministry

While Grenville's attempt to negotiate with Franklin as well as with Vergennes aroused in the French ministry a suspicion of foul play, Fox's angry attitude was on the eve of breaking up the British cabinet. When the enabling act was passed by parliament and the cabinet decided to appoint Oswald as a separate commissioner and voted down Fox's motion for an unconditional acknowledgment of the independence of the United States, Fox announced that he should resign his office. On the following day, Rockingham died. Weak and short-lived as his ministry had been, it had done good work. In spite of its bickerings and jealousies, it is probable that, during that spring, more was done toward purifying political life in England than had been done since the expulsion of the Stuarts and, in spite of the king, the movement for making peace with America was so strengthened that it could not be stayed. July 1

Shelburne Becomes Prime Minister

In the earl of Shelburne the king had recognized the safest of the Whigs and through him he had habitually communicated with the Rockingham cabinet. When Rockingham died, Fox resigned and Shelburne became prime minister. Burke and others whom the king described as "leaders of sedition" dropped out of the cabinet and the younger Pitt became chancellor of the exchequer. The two sections of the Whig party drifted further apart and, amid violent altercations, parliament adjourned on the eleventh of July. Shelburne sent

1782 word to Oswald that he would be given a new commission "containing full powers to treat and to conclude with instructions from the minister who has succeeded to the department which I lately held, to make the independency of the colonies the basis and preliminary of the treaty now depending." By this time, Grenville had left Paris where he was succeeded by Alleyne Fitzherbert. The situation now was strangely complicated. England was at war with America, France, Spain, and Holland, but willing to make concessions to her rebellious colonies for the sake of thwarting her traditional enemy. Spain was hostile to the United States, and France was bound to both by treaties of alliance. To satisfy America and Spain with their conflicting interests and to gain from both and from the common enemy all that was possible for France was no ordinary task. With such a burden on his shoulders, it would be strange if the line along which Vergennes walked was altogether straight. In the background stood George III., surly and irreconcilable.

July 27

Jay's Demand

Early in August, Oswald received his new commission, but Jay, who had joined Franklin in June, objected to it because it spoke of the United States as "colonies or plantations." Franklin thought the commission satisfactory enough and Vergennes, to whom it was submitted, agreed with him. But Jay suspected Vergennes of not desiring the independence of the United States until France and Spain had attained their own ends and insisted that the commission should specifically name the United States and make it clear that Oswald was to treat not with thirteen colonies but with an independent nation. Franklin finally consented and Oswald wrote to Shelburne: "The American commissioners will not move a step until independence is acknowledged."

August 18

Rayneval's "Personal Ideas"

Early in September, Rayneval, Vergennes's private secretary, submitted to Jay a memoir urging that the Mississippi valley below the thirty-first parallel should be given to Spain, that the territory east of the Missis-

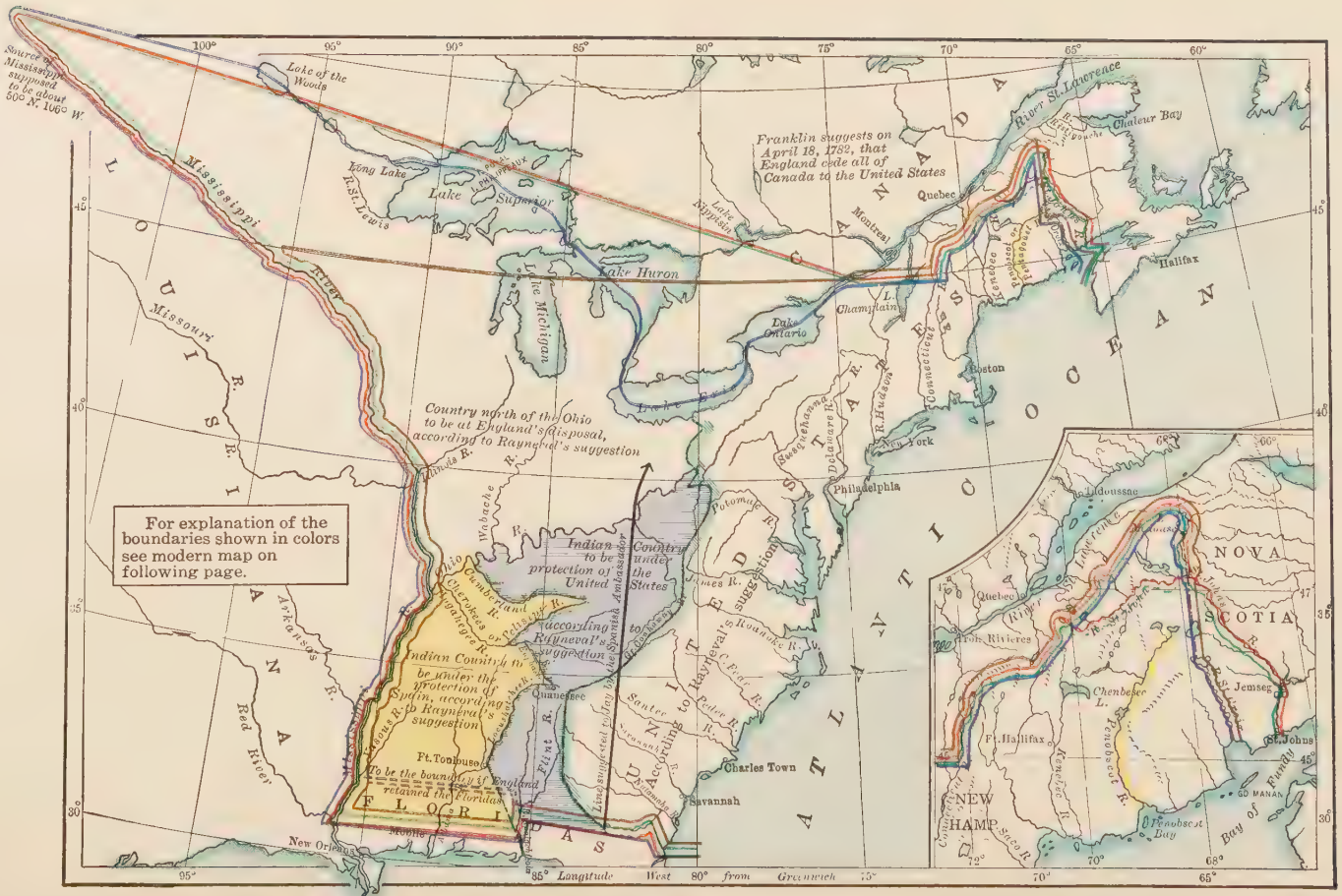
sippi thence to the Ohio should be left to the Indians under American and Spanish protectorates, and that all the territory north of the Ohio should be retained by Great Britain. This would confine the United States between the mountains and the sea. About the same time, the British put into Jay's hands an intercepted letter to Vergennes, in which Marbois, the French secretary of legation at Philadelphia, expressed the belief that the American claims as to territory and the fisheries were extravagant. Having learned that Rayneval had gone to London under an assumed name, Jay jumped to the conclusion that he had gone thither to influence the British cabinet on these points. Convinced that France had conspired with Spain against the United States, Jay sent Benjamin Vaughan, a scholarly Englishman and Shelburne's personal friend, to London. Jay's messenger was the grandson of a Boston merchant and, toward the end of the century, took up his residence in what is now the town of Hallowell in Maine where he spent the remainder of his life. Jay's experience in Spain had enriched his understanding of Bourbon politics; it now appears that Vaughan's mission was the turning-point of the peace negotiations. Shelburne's confidence in the American commissioners was reinforced and Oswald was given a satisfactory commission to treat with "the United States of America." The new commission was in Paris by the twenty-seventh of September and Jay wrote: "Mr. Vaughan greatly merits our acknowledgments." After much hesitation on Franklin's part, the American commissioners went on with the negotiations without consulting France.

1782

September 10

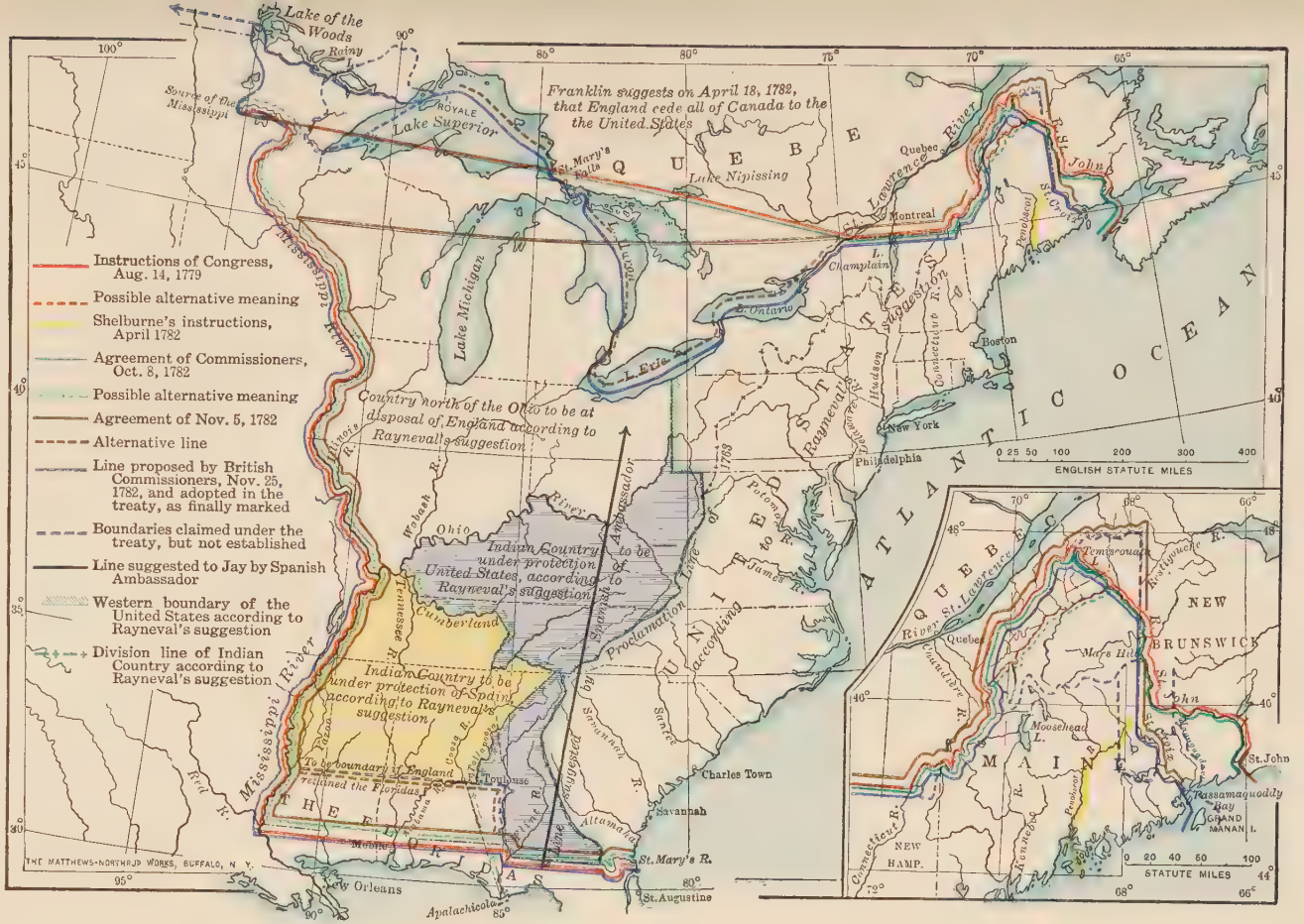
How far Jay's suspicions were correct is still a matter of doubt. The weight of opinion seems to be that Vergennes was not guilty of duplicity and of maliciously plotting against the United States as Jay suspected. In his position, he was obliged to consider the interests of France and Spain as well as those of the United States; as some of these interests clashed, it was inevitable that he should oppose some of the American claims. In

The Attitude of Vergennes



THE BOUNDARY NEGOTIATIONS OF 1782 INTERPRETED ACCORDING TO A CONTEMPORARY MAP

(Simplified from a reduction of Mitchell's Map of 1755)



BOUNDARIES PROPOSED IN THE NEGOTIATIONS OF 1782, BETWEEN THE UNITED STATES AND ENGLAND, ACCORDING TO A MODERN MAP

(Compiled by David Maydole Matteson, A. M.)

1782 fact, he favored the lowest limit that would stand any chance of being acceptable to the American commissioners or to congress; his system cannot be understood unless we keep in mind his expectation that France was to regain Louisiana. Still, it is probable that by ignoring their instructions and negotiating with England independently of France the American commissioners obtained a more favorable treaty than would otherwise have been possible.

Adams Joins Franklin and Jay

Early in October, the American commissioners submitted the plan of a treaty that Oswald approved and forwarded to England. The ministry thought the draft too liberal in the matter of territory and not liberal enough in the matter of compensating loyalists and repealing the laws against them. Henry Strachey was sent over to aid Oswald and the negotiations were reopened. Up to this time, Adams had been filling Laurens's place as American minister to the Netherlands and there opposing the intrigues of Vergennes with a blunt, Napoleonic diplomacy. By the time that he had made the Netherlanders familiar with American affairs, Rodney's plunder of Saint Eustatius stirred Dutch wrath to fever heat and then came the news of the surrender of Cornwallis. Holland recognized the independence of the United States in April and ratified a treaty of amity and commerce with the new nation early in October—the first successful negotiation since the alliance with France.

October 26

Before the end of the month, Adams joined Franklin and Jay at Paris. The two commissioners had differed as to the degree of confidence that might be reposed in Vergennes and concerning their obligation to obey the congressional instructions that put the future of America at the mercy of France. On Sunday, the twenty-seventh of October, the newly arrived umpire wrote in his diary: "I shall have a delicate, a nice, a critical part to act." Adams had a holy horror of Frenchmen in general and of Vergennes in particular.

The points on which the Americans were most insist-

ent were the Mississippi as the western boundary, the free navigation of that river, and the right to participate in the Canadian fisheries. The British commissioners insisted that America be wholly free from France, that British debts be secured, and that the loyalists be restored to their rights. The last two points presented peculiar difficulties because these matters lay within the domain of state powers. Strachey set out from Paris on the fifth of November and was in London on the tenth. On the fourteenth, it was resolved that he should take back to Paris "such a treaty as we can sign" and Shelburne wrote to Oswald that "this country is not reduced to terms of humiliation." Strachey was back at Paris with his new instructions by the twenty-fourth and the commissioners met at Oswald's lodgings on the twenty-fifth. For the final effort, Fitzherbert joined the other negotiators on the twenty-sixth, and Laurens, who had been exchanged for Cornwallis, arrived on the twenty-eighth. The new propositions submitted by Strachey were rejected by the American commissioners and, on the twenty-ninth, a final agreement was made. On the following day, the preliminary treaty was signed by Oswald, Franklin, Jay, Adams, and Laurens and "we all went out to Passy to dine with Dr. Franklin."

1782 The Preliminary Treaty

November 30

The treaty declared itself to be provisional and was not to take effect until England and France agreed upon terms of peace. Thus the American commissioners had kept to the strict letter of their contract as Vergennes had to the strict letter of his; beyond that point, French subtlety had been matched against American shrewdness. So ill-advised was Vergennes as to what was taking place that only a week before the signing of the treaty he had written that "if the negotiations were more advanced, I should use the influence that congress has thought fit to give the king for the purpose of making the American plenipotentiaries more conciliatory." At the same time, the progress of the French negotiations with Great Britain were, with equal reserve, kept from the American commissioners. According to the newly

Diamond Cuts Diamond

November 23

1782 made agreement, hostilities in America were to cease at once and, upon the completion of the treaty, the British armies and fleets were to be withdrawn from the territory of the republic. On the twentieth of January, 1783, the armistice was declared.

Meeting on the Level

In the first of the ten articles of the treaty, "His Brittannic Majesty acknowledges the said United States . . . to be free, sovereign and independent States; that he treats with them as such, and for himself, his heirs and successors, relinquishes all claims to the Government, propriety, and territorial rights of the same and every part thereof." From the very nature of the case, some of these expressions could not be recalled whether the provisional articles ever became a definitive treaty or not. Great Britain had met the United States as an independent community of equal dignity and sovereignty with herself.

Boundaries

The second article fixed generous boundaries for the new nation. Although the British had at first demanded the whole of Maine, ostensibly for its timber but really as a refuge for the Tories, they finally agreed to the Saint Croix as the eastern boundary. From the source of the Saint Croix, the boundary line was to run due north to the Highlands; along the Highlands to the northernmost head of the Connecticut River, thence down along that river to the forty-fifth parallel, thence westward to the Saint Lawrence, and up that river and through the great lakes to the most northwestern point of the Lake of the Woods; and thence west to the Mississippi, the source of which was supposed to be further north than it really is. The Mississippi was to be the western boundary. On the south, the line was to follow the thirty-first parallel from the Mississippi eastward "to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint River; thence straight to the head of the St. Mary's River; and thence down along the middle of St. Mary's River to the Atlantic Ocean." A secret article provided that in case England regained West

Florida the northern boundary of this province should be a line drawn through the mouth of the Yazoo, that is, about thirty-two degrees and twenty-eight minutes of north latitude. The territory thus secured for the United States was twice as great as that proposed by France. Oswald marked the line in red ink on a map but no provision was made for an actual survey. The language was found to be geographically inaccurate and the map was lost. The disputes that thence arose were not put at rest until the execution of the Ashburton treaty in 1842. 1782

The fishery discussion was long and tedious, but finally, largely through the urgency of Adams, who as a New Englander was most interested, the Americans were conceded the right to take fish on the banks of Newfoundland "and at all other places in the sea where the inhabitants of both countries used at any time heretofore to fish." They were to be allowed to dry and cure fish "in any of the unsettled bays, harbours, and creeks of Nova Scotia, Magdalen Islands, and Labrador, so long as the same shall remain unsettled," but were not allowed that right on the coast of Newfoundland. The fisheries were to the United States more than a source of profitable trade; they were "the training school of a splendid race of seamen, the nursery of naval heroes." Fisheries

The other most important articles concerned the collection of debts, the treatment of the loyalists, and the navigation of the Mississippi. Both parties agreed that creditors should "meet with no lawful impediment to the recovery of the full value in sterling money, of all bona fide debts heretofore contracted." In the matter of the loyalists, the Americans agreed that there should be no future confiscations or prosecutions. They also promised that congress should recommend to the states that they restore confiscated property, but the British commissioners were given to understand that the recommendation could not be enforced. From its source to the gulf, the great river was forever to remain free and Creditors, Loyalists, etc.

1782 open to the subjects of both nations. But Spain held both banks at the mouth of the Mississippi and her monarch was little likely to view with favor this agreement to wrest from him his right to grant ingress and egress as he saw fit—a right well recognized by public law. When Rayneval complained that this provision would embarrass Spain, Shelburne replied that "all which concerned Spain mattered little to him."

Liberal Terms

In negotiating the treaty, the English cabinet had shown a disposition to deal generously with America. In Europe, the terms of the treaty were regarded as

December 4

astonishingly liberal. Vergennes wrote to Rayneval that Britain had rather bought a peace than made one, and said that the stipulations exceeded anything he had believed possible. To Rayneval, it seemed like a dream. Aranda, the Spanish ambassador, wrote to his king: "This federal republic is born a pigmy. A day will come when it will be a giant; even a Colossus, formidable to these countries. Liberty of conscience, the facility for establishing a new population on immense lands, as well as the advantages of the new government, will draw thither farmers and artisans from all the nations. In a few years we shall watch with grief the tyrannical existence of this same Colossus." In the same prophetic spirit, the Venetian ambassador wrote: "If the union of the American provinces shall continue, they will become by force of time and of the arts the most formidable power in the world." "It is impossible," says Lecky, "not to be struck with the skill, hardihood, and good fortune that marked the American negotiations. Everything the United States could, with any shadow of plausibility, demand from England, they obtained; and much of what they obtained was granted in opposition to the two great powers by whose assistance they had triumphed. . . . America gained at the peace almost everything she desired, and started, with every promise of future greatness, upon the mighty career that was before her."

Without delay, Franklin laid the whole matter,

except the secret article, before Vergennes who replied in a reproachful letter in which he said: "I am at a loss to explain your conduct and that of your colleagues on this occasion. . . . You perfectly understand what is due to propriety; you have all your life performed your duties. I pray you to consider how you propose to fulfill those which are due to the king." Franklin replied soothingly: "Nothing has been agreed in the preliminaries, contrary to the interests of France; and no peace is to take place between us and England till you have concluded yours. Your observation is, however, apparently just—that in not consulting you before they were signed we have been guilty of neglecting a point of *bienséance.*" He hoped that he and his colleagues would be pardoned and that nothing would be done to cause England to believe that she had succeeded in dividing the allies. Vergennes accepted the excuse; that he did not feel greatly aggrieved is shown by the fact that he soon promised a new loan of six million livres.

1782
1783
Vergennes Offended

Information of the provisional treaty was given to congress on the twelfth of March, 1783. A few days later, Sir Henry Carleton received orders from the British ministry to proclaim a cessation of hostilities by land and sea. Washington published to the army a similar proclamation by congress on the nineteenth of April, the eighth anniversary of the fight at Lexington. Robert R. Livingston, the American secretary for foreign affairs, wrote to the commissioners at Paris expressing regret that the treaty had been signed without the knowledge of the French court and added: "It gives me pain that the character for candor and fidelity to its engagements which should always characterize a great people should have been impeached thereby." To this censure, the commissioners made joint reply, saying: "Until it be shown that we have trespassed on the rights of any man or body of men, you must excuse our thinking that this remark, as applied to our proceedings, was unnecessary. Should any explanations,

How the Treaty was Received in America

July 18

A GENERAL PEACE.

NEW-YORK, March 25, 1783.

LATE laſt Night, an EXPRESS from New-Jerſey, brought the following Account.

THAT on Sunday laſt, the Twenty-Third Inſtant, a Veſſel arrived at Philadelphia, in Thirty-five Days from Cadiz, with *Diſpatches* to the *Continental Congreſs*, informing them, that on Monday the Twentieth Day of January, the PRELIMINARIES to

A GENERAL PEACE,

Between *Great-Britain*, *France*, *Spain*, *Holland*, and the *United States* of *America*, were SIGNED at Paris, by all the Commiſſioners from thoſe Powers; in conſequence of which, Hoſtilities, by Sea and Land, were to *ceaſe* in Europe, on Wedneſday the Twentieth Day of February; and in America, on Thurſday the Twentieth Day of March, in the preſent Year One Thouſand Seven Hundred and Eighty-Three.

THIS very *important* Intelligence was laſt Night announced by the Firing of Cannon, and great Rejoicings at Elizabeth-Town.---Reſpecting the Particulars of this truly intereſting Event no more are yet received, but they are hourly expected.

Publiſhed by James Rivington, *Printer to the King's Moſt Excellent Majeſty.*

The foregoing broadſide haſ been compared with the original, in the Senate Houſe, Kingſton, N. Y., and found correct.

JULIUS SCHOONMAKER,
Custodian.

Subscribed and sworn to before me this 13th day of October, 1898.

C. HUME,
Notary Public.

BROADSIDE ANNOUNCING THE SIGNING OF THE PRELIMINARY TREATY

either with France or Spain, become necessary on this subject we hope and expect to meet with no embarrassment. We shall . . . tell them plainly that it was not our duty to give them the information. . . . It is not to be wondered at that we, who are on the spot and have the whole transaction under our eyes, should see many parts of it in a stronger point of light than persons at a distance." The responsibility was great, but it was taken up by great men who then went forward and won a victory the full grandeur of which we cannot even yet realize. In diplomacy as well as in war, something of discretionary power must be granted. 1782 1783

The General Treaty of Peace

The negotiations between the other belligerents and, to a certain extent, those between the United States and England had been delayed by the desire of Spain to recover Gibraltar before making peace. But the fortunes of war had changed. In April, Rodney destroyed the French fleet in the West Indies and captured Grasse as already told. In September, an attempt of the French and Spaniards upon Gibraltar was disastrously repulsed and, in October, Lord Admiral Howe succeeded in placing supplies and reinforcements in that stronghold. The European allies needed peace and, on the twentieth of January, 1783, preliminary articles were entered into by which England ceded some of her possessions, including East Florida, to Spain, and others to France, while several of the West India islands were restored to England. At the same time, England and Holland concluded a truce which was soon followed by a treaty of peace. After all their exertions, France and Spain had gained little by the war. America received the lion's share of the spoil. France added greatly to her already immense debt and made inevitable a revolution of her own.

The Coalition

Parliament had been prorogued in July, 1782, and did not meet again until the fifth of December, a few days after the signing of the preliminary treaty. In his speech from the throne, George III. announced that he had "offered to declare them [the colonies] free and

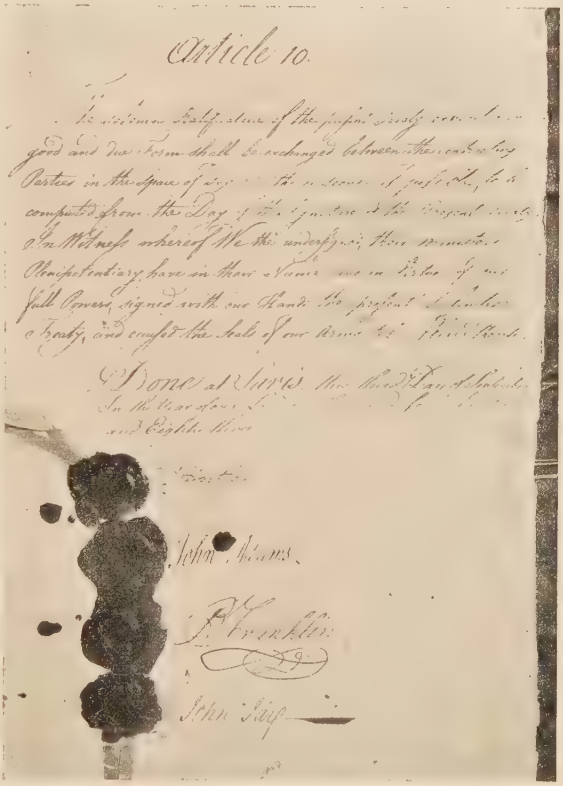
1782 independent states. . . . In thus admitting their
1783 separation I have sacrificed every consideration of my own to the wishes and opinions of my people." On the thirteenth, both houses adjourned for several weeks. On the twentieth of January, 1783, the provisional treaties with France and Spain were signed at Paris and, on the twenty-first, parliament reassembled at London. Rockingham was dead, the Shelburne ministry had never been very strong, and the treaties were unpopular. The ministerial ranks suffered by desertion and, about the middle of February, North and Fox, "Boreas" and "Reynard," entered into "The Coalition," one of the strangest alliances known in the history of politics, one that aroused the indignation of the country and the anger of the king; the young William Pitt pronounced it an ill-omened marriage and forbade the banns in the name of public safety. But the coalition did not wait long to show its strength and, on the seventeenth of March, a division of the house showed a majority of sixteen against the treaty. A few days later, the house,
February 21 by a vote of two hundred and seven against one hundred and ninety, adopted a resolution that declared that "the concessions granted to the enemies of Great Britain were greater than they were entitled to." On the twenty-fourth, Shelburne resigned.

The Definitive Treaty of Peace

For more than five weeks, the country was without a government. George III. wrung his hands pathetically and complained bitterly that Lord North had betrayed him into the hands of Mr. Fox. But it was all to no purpose; parliament became furious at the long delay and the king had to accept Fox as a part of the coalition. In April, the duke of Portland, a man of great wealth and little ability, became the head of a new cabinet in which were North and Fox as secretaries of state. As soon as the new ministry got its bearings, David Hartley was sent to take Oswald's place, and the duke of Manchester was sent to aid him and Fitzherbert. Then all the resources of diplomacy were exhausted in an effort to secure a treaty that would be more acceptable to

England, but it finally became clear to both parties that the provisional articles embodied all the concessions that either could obtain from the other. Without essential change of the preliminary treaty and with the approval of Vergennes, the long-pending negotiations were brought to a close and the definitive treaty of peace was signed at the lodgings of the British minister at Paris on the third of September, 1783. Thus was Shelburne vindicated. From the American point of view, it was one of the most brilliant triumphs of modern diplomacy. The American revolution was at an end. Before the close of the year, the king turned the coalition ministry out of office. Then the younger Pitt became prime minister and, for seventeen years, ruled Great Britain with a power greater than that of any English sovereign since the days of Elizabeth.

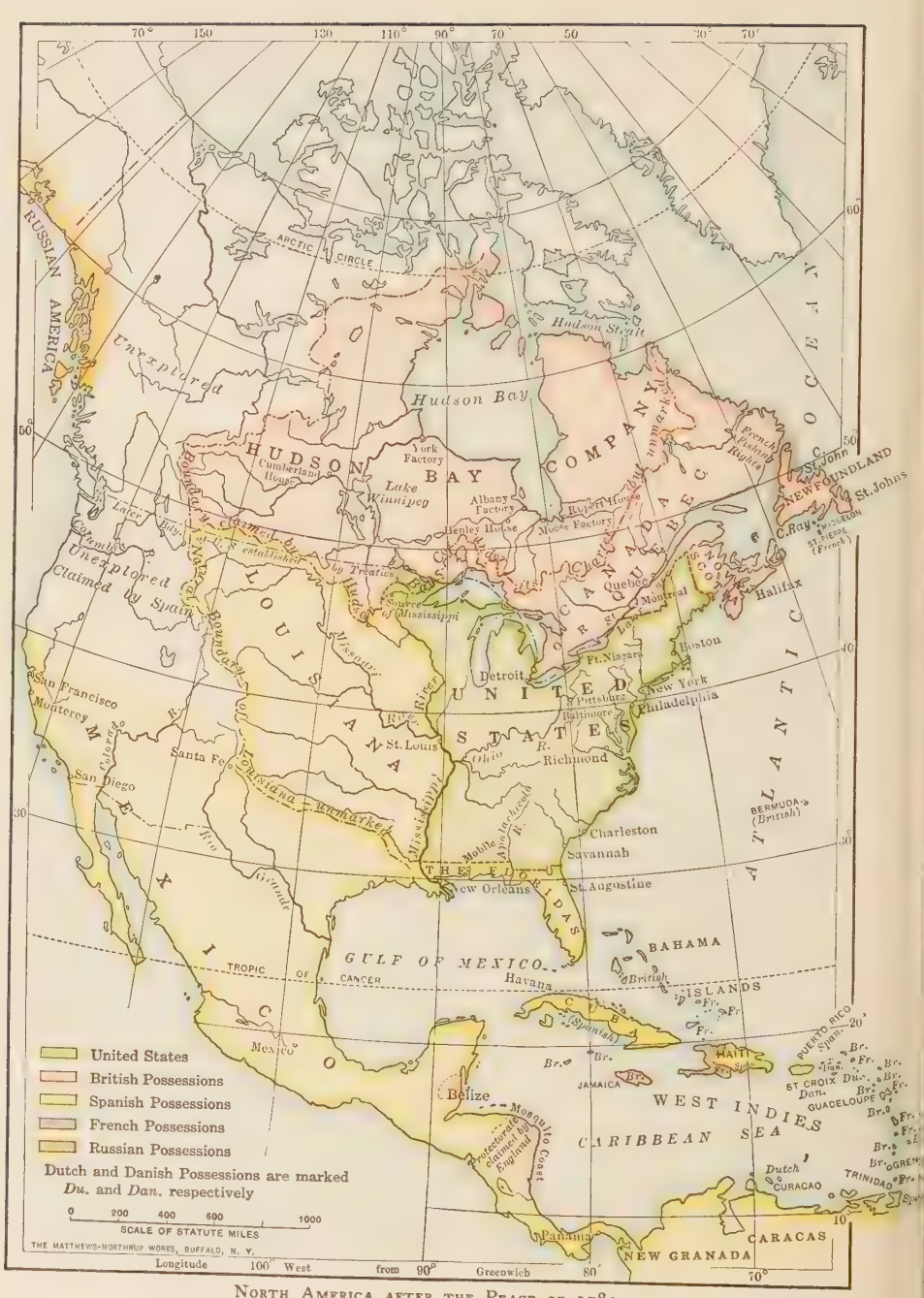
1783



Signatures to the Treaty of 1783

In America, there had been no military operations of importance since Yorktown, but the war establish-

America at Peace



North America after the Peace of 1783
(Compiled by David Maydole Matteson, A. M.)

ment was kept up to guard against the dangers of over-confidence and a possible renewal of active operations. 1783

In April, 1782, Washington left Philadelphia and took up his headquarters with the troops on the Hudson where, in September, he was joined by Rochambeau and his soldiers. In October, the French troops embarked for France. Charleston, the last post held by the British in the South, was evacuated on the fourteenth of December, 1782. On the eleventh of April, 1783, congress proclaimed a cessation of hostilities by land and sea; on the nineteenth, the proclamation was published to the army.

Washington's Headquarters at Newburg

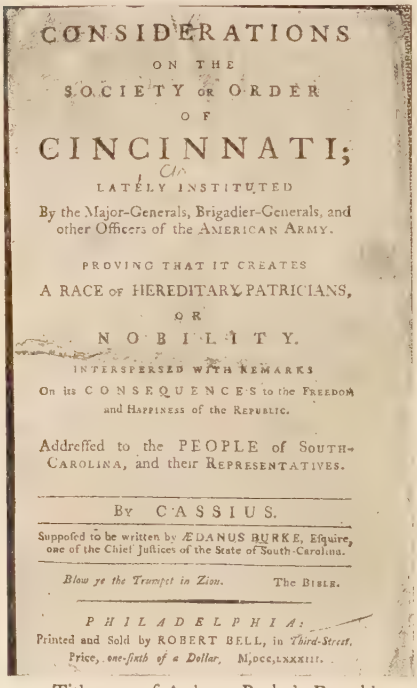
General Henry Knox
(Reproduced from Stuart's painting deposited by the City of Boston in the Museum of Fine Arts)

CONCORD:
April 19, 1775

PEACE:
April 19, 1783

1783 In May, the Society of the Cincinnati was founded in the Verplanck house near Fishkill. This organization of officers of the Revolution was established at the suggestion of General Knox to perpetuate "the mutual friendships formed under the pressure of common danger;" membership was hereditary through a line of eldest sons. The presidency of the order was held by Washington until his death. The hereditary clause in its constitution, which caused much adverse criticism among the civil leaders of the Revolution, has resulted in the perpetuation of the society to the present day. In June, many of the troops were dismissed on furlough and Washington issued his last circular to the governors of all the states, a "legacy" full of warning and wise counsel.

Order of the Society of the Cincinnati
(Worn by His Excellency President-general George Washington at the first meeting of the General Society, Philadelphia, May, 1784. Direct reproduction from the original through kindness of the Hon. Asa Bird Gardiner, LL. D., L. H. D., M. H., President of the Rhode Island State Society of the Cincinnati and Secretary-general)

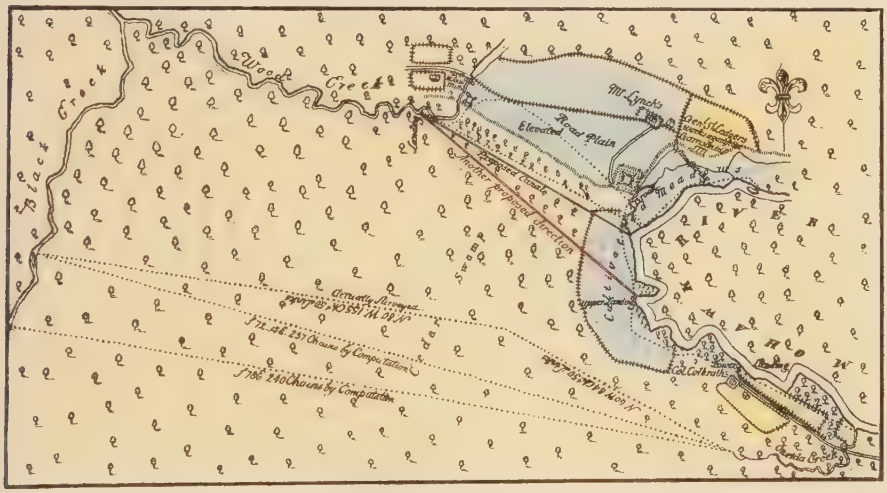


CONSIDERATIONS
ON THE
SOCIETY OR ORDER
OF
CINCINNATI;
LATELY INSTITUTED
By the Major-Generals, Brigadier-Generals, and other Officers of the AMERICAN ARMY.
PROVING THAT IT CREATES
A RACE OF HEREDITARY PATRICIANS,
OR
NOBILITY.
INTERSPERSED WITH REMARKS
On its CONSEQUENCES to the FREEDOM and HAPPINESS of the REPUBLIC.
Addreſſed to the PEOPLE of SOUTH-CAROLINA, and their REPRESENTATIVES.
By CASSIUS.
Supposed to be written by ÆDANUS BURKE, Eſquire, one of the Chief Juſtices of the State of South-Carolina.
Blow ye the Trumpet in Zion. The BIBLE.
PHILADELPHIA:
Printed and Sold by ROBERT BELL, in *Third-Street*.
Price, *one-fifth of a Dollar*. M,DCC,LXXXIII.

Title-page of Aedanus Burke's Pamphlet on the Order of the Cincinnati

1783 Washington's Vacation Tour

On the sixteenth of July, Washington wrote to the president of congress that, finding himself "without command, and with little else to do, than to be teased with troublesome applications and fruitless demands," he had "resolved to wear away a little time, in performing a tour to the northward, as far as Ticonderoga and Crown Point, and perhaps as far up the Mohawk River as Fort Schuyler. I shall leave this place on Friday next, and shall probably be gone about two weeks." He was already giving consideration to "the operations, which will be necessary for occupying the posts which are ceded by the treaty of peace as soon as they shall be evacuated by the British troops" and "supplying all the garrisons on the western waters by the provision contract. I can only form my magazine at Fort Herkimer, on the German Flats, which is thirty-two miles by land and almost fifty by water from the carrying-place between the Mohawk River and Wood Creek. The route by the former is impracticable in the present state for carriages; and the other extremely difficult for batteaux." The difficulties of the situation suggested to Governor George Clinton, who was with Washington,



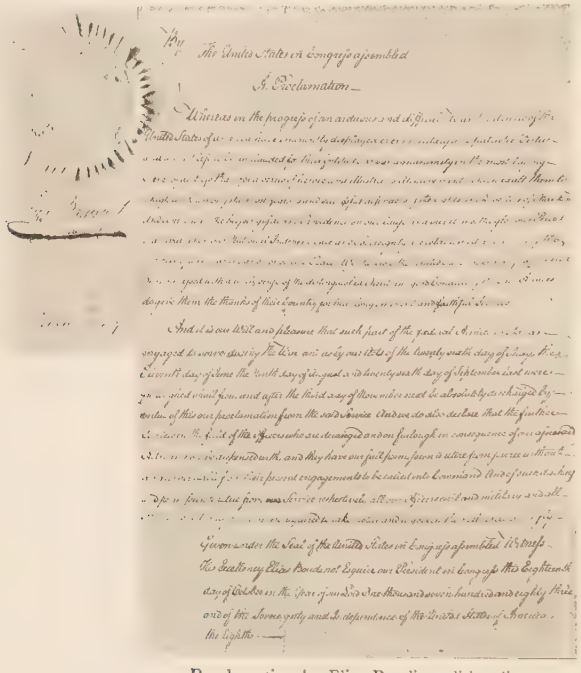
An Early Survey for a Canal at Fort Stanwix

1783 the building of a canal between Wood Creek and the Mohawk. In his speech opening the New York legislature in 1791, Clinton recommended the project. In the next century, the governor's idea was carried out to its logical conclusion in the building of the Erie and the Champlain canals by his nephew, Governor DeWitt Clinton.

Disbanding the Army

October 18

Many of the troops having been previously dismissed on furlough, congress directed by proclamation the disbandment of the army on the second of November. On that day, the commander-in-chief sent out his last general order to the members of the armies of the United States wherever they might be. Mingling praise, gratitude, and admonition, he also pointed out their remaining duty to their country. Mr. Bancroft says that he sent them forth, every one, as an apostle of union under a new constitution. A small remnant of the continental army was retained in service under the command of General Knox. On the twenty-fifth of November, Guy Carleton, who had succeeded General Clinton early in May, withdrew his forces from New York. Washington and Governor Clinton entered the upper end of the town while the British embarked at the lower end. For many years, "Evacuation Day" was celebrated in the city with fireworks and military display.



By the United States in Congress assembled

A Proclamation

Proclamation by Elias Boudinot disbanding the Continental Army

1783

Negro Soldiers

From the days when General Artemas Ward gathered his gallant band at Cambridge, free negroes had been enrolled as members of the patriot army. At first, and especially in New England, they took their places in the ranks with white men and, on the rolls of many companies, their names appear side by side with those of other soldiers of the Revolution. Before many months had gone by, Edward Rutledge of South Carolina, in the continental congress, moved that all the negroes in the army be discharged. He was warmly supported by other southern delegates, but there was determined opposition and the motion was lost. In October, 1775, a conference at the camp, attended by Franklin, Harrison, and Lynch, members of the congress, "agreed unanimously, to reject all slaves, and, by a great majority, to reject negroes altogether" from the new enlistment, but, when the American tri-color was unfurled over the continental army around Boston, free negroes still were standing in the ranks by the side of white men. Washington had reversed the decision of the conference and appealed to congress for its approval upon his action. That body referred the matter to a committee consisting of Wythe, Wilson, and Samuel Adams, and, on their report, it was resolved "that the free negroes who have served faithfully in the army at Cambridge may be re-enlisted therein, but no others." "The right of free negroes to take part in the defence of the country having thus been partially admitted by the highest power, the limitation was lost sight of." Among those who fell in the disastrous battles of Long Island in 1776 were many colored American soldiers of whom, about the middle of the nineteenth century, Theodore Parker exclaimed: "Happy are the dead Africans whom the British shot mowed down!" Among those who fell in the massacre at Fort Griswold "when Arnold burnt the town" in September, 1781, were Jordan Freeman and Sambo Latham, negroes. At Monmouth, more than seven hundred colored men fought side by side with white men, and, at the end of the war, Brister Baker was

September 26, 1775

December 31, 1775

By His Excellency

GEORGE WASHINGTON, Esq;

General and Commander in Chief of the Forces of the United States of America.

THESE are to CERTIFY that the Bearer hereof Briſter Baker Soldier in the Second Connecticut Regiment, having faithfully ſerved the United States from April 9th 1777 to June 9th 1783 — and being inliſted for the War only, is hereby Discharged from the American Army.

GIVEN at Head-Quarters the 8th June 1783

G. Washington

By His Excellency's Command,

Tho. Kell Sec'y

REGISTERED in the Books of the Regiment,

Adjutant,

THE above Baker has been honored with the BADGE of MERIT for Six Years faithful Service. H. Swift Col.

Head-Quarters, June 10th 1783.

THE within CERTIFICATE ſhall not avail the Bearer as a Diſcharge, until the Ratification of the definitive Treaty of Peace; previous to which Time, and until Proclamation thereof ſhall be made, He is to be conſidered as being on Furlough.

GEORGE WASHINGTON.

A Negro Soldier's Discharge after the War

discharged with the badge of merit for six years of faithful service. 1783

Negro Companies and Regiments

The muster-rolls of Connecticut troops indicate that negroes were withdrawn from military bodies in which they had served with white men and were gathered into companies by themselves. The captain of one of the companies of this black battalion was David Humphreys, later an aide to Washington, the author of stirring lyric and satiric verses, and brigadier-general in command of Connecticut's "Veteran Volunteers" in the war of 1812. After the arrival of his command at Washington's camp at Valley Forge, General Varnum of Rhode Island suggested that a battalion of negroes might be raised in that state. Governor Nicholas Cooke laid the matter before the Rhode Island general assembly, then in session at East Greenwich. Since December, 1776, Newport had been in the hands of the British. The legislature accordingly "voted and resolved that every able-bodied negro, mulatto, or Indian man slave, in this state, may enlist into either of the said two battalions, to serve during the continuance of the present war with Great Britain. That every slave, so enlisting, shall be entitled to, and receive, all the bounties, wages, and encouragements, allowed by the Continental Congress to any soldier enlisting into their service. It is further voted and resolved that every slave so enlisting, shall, upon his passing muster before Col. Christopher Greene, be immediately discharged from the service of his master or mistress, and be absolutely *Free*, as though he had never been encumbered with any kind of servitude or slavery"—the first emancipation act of legislation in the history of the state. The assembly also voted bounties for the blacks and compensation for their masters, and Rhode Island's "black regiment" became famous for its "deeds of desperate valor." Colonel Greene, a cousin of General Greene, had followed Arnold through the wilderness to Quebec in 1775,

Autograph of Christopher Greene

WASHINGTON RESIGNING HIS COMMISSION

(Close facsimile of the original picture painted by John Trumbull in 1787. It is now in the Trumbull Gallery, Yale University, New Haven, Connecticut)

and earned the sword that congress later voted for his defense of Fort Mercer in 1777; on his fatal day in May, 1781, the sabers of the enemy did not reach him until every one of his faithful guard of blacks had been killed. Subsequently, New York and other states passed similar acts granting freedom to slaves who enlisted in the army. At the end of the war, Virginia passed an act emancipating all the slaves from that state who had served in the army with the consent of their masters.

1783

March 20, 1781

Flag of the "Bucks of America," a Colored Regiment that served in the Revolution
(From collection of the Massachusetts Historical Society)

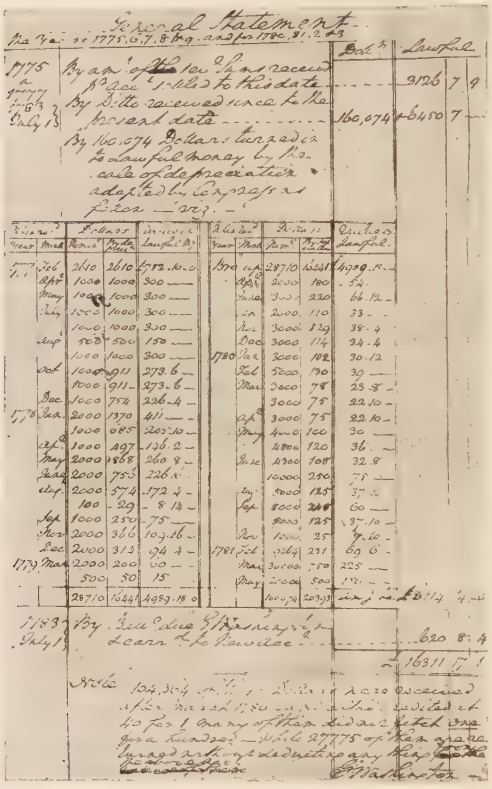
October, 1783

On the fourth of December, 1783, in a room of Fraunces's Tavern, his headquarters in New York City, Washington took leave of the officers who through good and evil days had followed him to the grand consummation of their hopes. As he looked upon his old comrades in arms, his usual self-command deserted him and his voice broke. Filling a glass of wine, he raised it and said: "With a heart full of love and gratitude, I now take my leave of you, most devoutly wishing that your latter days may be as prosperous as your former ones have been glorious and honorable." After the

Washington Takes Leave of his Officers

Whitehall Ferry Tablet

1783 toast had been drunk in silence, he added: "I cannot come to each of you and take my leave, but shall be obliged if you will come and take me by the hand." In silence and not without tears, he bade each farewell and then, accompanied by all, walked to Whitehall Ferry. As the oars of his barge struck the water, he stood up and raised his hat. "In solemn silence his officers returned the salute, and watched the noble and gracious figure of their beloved chief until the boat disappeared from sight behind the point of the Battery."



Last Page of Washington's Military Accounts of the American Revolution

Congress Ratifies the Treaty of Peace

Already the confederation of the thirteen states was in the first stage of "that long collapse out of which were to arise the more compact powers of the constitution." When congress

November 26 met at Annapolis, there were present only fifteen members representing only seven states. Several weeks

December 23 later, with only twenty delegates in attendance, Washington returned his commission and then rode away to Mount Vernon to keep his Christmas as a private citizen. A special effort was then made to secure the attendance of absent representatives and, on the

fourteenth of January, 1784, the treaty of peace was ratified by twenty-three delegates from nine states, the necessary number, and was then proclaimed to the people. 1784

CHAPTER XVIII

DISABLED AND DRIFTING

Discontent in the Army

PEACE came none too soon. Discontent in the army had reached such a point that a new revolution was narrowly averted. In October, 1780, the officers had been promised half pay for life, but nothing had been done to fulfil the pledge and the private soldiers were left without even a promise. By the spring of 1782, many officers were doubtful whether congress would be able to redeem its pledge and began to desire a change in the form of government. Acting probably in behalf of some such, how many is not known, Colonel Lewis Nicola, a foreign-born officer in the Pennsylvania line, wrote a letter to Washington hinting that he should accept the crown. Washington repelled the suggestion saying: "I am much at a loss to conceive what part of my conduct could have given encouragement" to such an address and "If I am not deceived in the knowledge of myself, you could not have found a person to whom your schemes are more disagreeable."

May 22, 1782

The Troops Send an Address to Congress

In December, Washington's ill-clad troops were in winter quarters on the wooded hills in the rear of Newburg. Hunger joined hands with wintry cold to multiply discomforts and the leisure of the camp gave opportunity for brooding over their accumulated wrongs and for counting up their wealth of unfulfilled promises to pay. They therefore drew up an address that they sent to congress. "We have borne all that men can

January 6, 1783

bear — our property is expended — our private resources at an end, and our friends wearied out and disgusted with our incessant applications." The memorial was referred to a grand committee that conferred with the superintendent of finance who said that it was impossible to pay and that it would be imprudent even to make any more promises of paying. The report of the grand committee was prepared by Hamilton who had renounced his individual claim for half pay. It advised a payment as soon as possible, after which the troops and other creditors alike were to wait for the funding of the public debt. It was hoped that the zeal of the army and of all other creditors might be enlisted in aid of some efficient scheme for permanent sources of revenue to be collected by authority of congress. Thus Hamilton wrote to Washington that the claims of the army, "urged with moderation but firmness, may operate on those weak minds which are influenced by their apprehensions more than by their judgments, so as to produce a concurrence in the measures which the exigencies of affairs demand," and Gouverneur Morris wrote to General Greene: "If the army in common with all other public creditors insist on the granting of general permanent funds for liquidating all the public debts, there can be little doubt that such revenues will be obtained and will afford to every order of public creditors a solid security. With the due exception of miracles, there is no probability that the states will ever make such grants unless the army be united and determined in the pursuit of it and unless they be firmly supported by and as firmly support the other creditors." To hasten such an end, Robert Morris sent to congress a communication saying: "The funding the public debt on solid revenues I fear will never be made. If before the end of May effectual measures to make permanent provision for the public debts of every kind are not taken, congress will be pleased to appoint some other man to be the superintendent of finances; I will never be the minister of injustice." Early in February and

1783

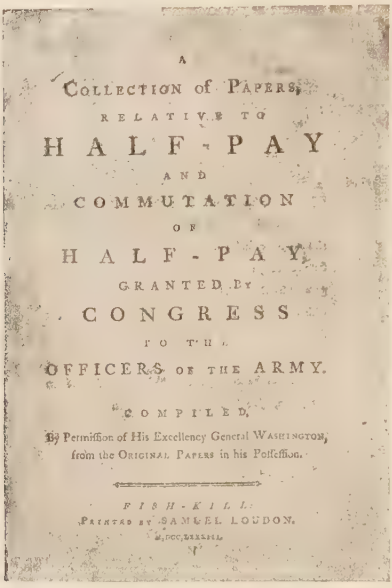
February 7

January 24

1783 by the authority of congress, Morris issued his warrants for a month's pay, a total of a little more than a quarter million dollars.

The Newburg Letters

On the tenth of March, 1783, an anonymous call for a meeting of the officers on the evening of the following day was circulated. The letter seems to have been written by a member of General Gates's staff, Major John Armstrong, son of the general of that name whom we met at Brandywine. The purpose of the able document doubtless was to arouse congress to a sense of justice to an army that was about to be disbanded, but its impassioned language was more likely to excite the resentment of the troops. "Can you then," the paper asked, "consent to be the only sufferers by this revolution, and retiring from the field, grow old in poverty and wretchedness and contempt? Can you consent to wade through the vile mire of despondency, and owe the miserable remnant of that life to charity, which has hitherto been spent in honour! If you can—GO—and carry with you the jest of tories and the scorn of whigs—the ridicule, and what is worse, the pity of the world. Go, starve, and be forgotten!"


A
COLLECTION of PAPERS,
RELATIVE TO
HALF-PAY
AND
COMMUTATION
OF
HALF-PAY,
GRANTED BY
CONGRESS
TO THE
OFFICERS OF THE ARMY.
COMPILED,
By Permiffion of His Excellency General WASHINGTON,
from the ORIGINAL PAPERS in his Poffeffion.
FISH-KILL:
PRINTED BY SAMUEL LOUDON.
M,DCC,LXXXIII.

Title-page of the first Printed Edition of the Newburg Letters

Washington Saves the Day

The situation was full of danger. Even Robert Morris, Gouverneur Morris, and Alexander Hamilton had come to the conclusion that forbearance had ceased to be a virtue, but Washington saw that such a movement once begun might become uncontrollable. He

had issued general orders forbidding the meeting and calling for one at noon of the following Saturday, when suddenly a second anonymous address appeared. At the appointed time, the officers assembled with General Gates in the chair. Washington took his place at the desk and, in eloquent words, appealed to the patriotism of the officers. "Let me conjure you," he said, "in the name of our common country, as you value your own sacred honor, as you respect the rights of humanity, and as you regard the military and national character of America, to express your utmost horror and detestation of the man, who wishes, under specious pretences, to overturn the liberties of our country, and who wickedly attempts to open the flood-gates of civil discord, and deluge our rising empire in blood." When he finished, most of the officers were in tears; after his withdrawal, they passed resolutions unanimously condemning the anonymous proposals and asking Washington to press their claims. Thus "that body of officers, in a moment, damned with infamy two publications, which, during the four preceding days, most of them had read with admiration, and talked of with rapture." It may be doubted whether Washington ever performed a greater patriotic service than on this occasion.

1783

March 15

Upon Washington's representations, congress soon commuted half pay for life into a sum equal to five years' full pay, for which certificates bearing interest at six per cent. were to be issued. Even this measure aroused great opposition among sturdy fireside patriots who were anxious for liberty but unwilling to pay its price. Meanwhile, steps were taken to reduce the army, as explained in the preceding chapter. The veterans, at least such of them as still had homes, went home peacefully without a settlement of their accounts or a penny in their pockets. In little groups of four or five they trudged along, living in great part on farmhouse hospitality. At his journey's end, the veteran hung his memorial musket over the chimneypiece and

Congressional Action and Impotence

March 22

1783 turned again to the furrow and the cattle; years of
1784 suffering behind and years of poverty before. But some of the new Pennsylvania troops at Lancaster, "soldiers of a day" Washington called them, mutinied. About eighty strong, they marched to Philadelphia and created such a terror that congress fled to Princeton. No more convincing proof of the impotence of congress could be found. McMaster says that it had "degenerated into a debating club, and a debating club of no very high order. Neglected by its own members, insulted and threatened by its mutinous troops, reviled by the press, and forced to wander from city to city in search of an abiding place, its acts possessed no national importance whatever." A year later, it closed a session at Annapolis to meet at Trenton on the thirteenth of October, leaving the management of federal affairs in the hands of a "grand committee" of one from each state. Four of the committee attended none of its sessions and, one day in August, some of the others angrily left the room and thus broke the quorum. On the next day, three of the nine set out for their homes; until the reassembling of congress, the country was without even the shadow of a government.

June 19, 1783

June 3, 1784

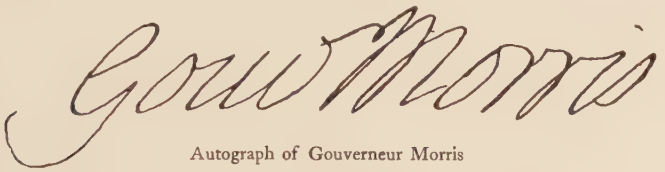
Welcome to Lafayette

In this summer of 1784, the people of America were gladdened by the return of Lafayette from France. He landed on the fourth of August and went directly to Mount Vernon. Thence he hastened to New York and, in September, went up the Hudson to Albany. In October, he was given a memorable entertainment at Boston whence he went by water to Annapolis and thence again to Mount Vernon. On the ninth of December, he was at Philadelphia where bonfires lighted up the streets and the bells were rung from the time of his arrival until ten o'clock at night. He took formal leave of congress at Trenton and, on Christmas Day, sailed from New York for France. Everywhere he had been received with the homage and enthusiastic welcome of a grateful people.

The articles of confederation were ratified in 1781;

before the end of that year, Gouverneur Morris wrote to General Greene: "I have no expectation that the government will acquire force; and no hope that our 1781 1783

The Need of Coercive Power



Autograph of Gouverneur Morris

union can subsist, except in the form of an absolute monarchy, and this does not seem to consist with the taste and temper of the people." Before the war was over, such men as Washington, Madison, and Hamilton foresaw the failure of the confederation and urged a stronger government. And yet, this unstable league, with its paralyzing inadequacy of central powers, was, perhaps, the best that could then be secured. In 1782, under Hamilton's influence, New York proposed a convention of the states to revise and amend the articles, but congress did not act upon the recommendation. In congress itself, Madison brought in a committee report pointing out that, as the states had promised to observe the articles of confederation, congress had a right to carry said articles into effect. In order that there might be no question regarding this coercive power, the committee advised the adoption of a new article expressly conferring upon congress the power to compel the states to observe their federal obligations. In the following August, a new committee reported that the articles needed execution in twenty-one particulars and recommended that seven new powers be conferred upon the congress.

Difficulty of Amendment

As it was necessary to obtain the consent of all the states, it was impossible to amend the articles. In February, 1781, it was proposed that congress should be given the power to levy a duty of five per cent. on imports, the proceeds "to be applied to the discharge of the principal and interest of the debts already contracted." The proposal was reasonable, twelve states assented, but Rhode Island stubbornly refused. In

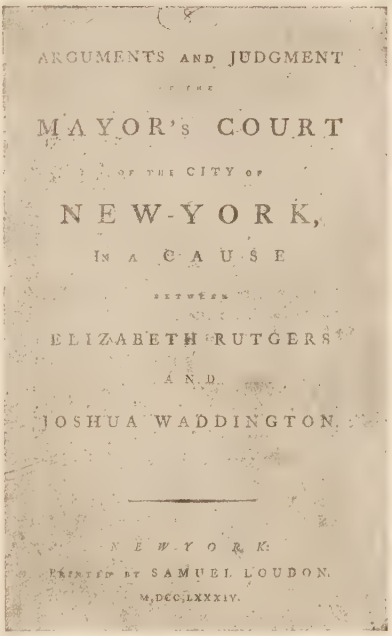
1782 1783 April, 1783, congress asked for power to levy impost duties for twenty-five years, the duties to be collected by officers appointed by the states. Again twelve states assented, some of them with qualifications, but New York, "quite content to levy her own tax upon foreign commodities as well as upon garden-truck from New Jersey and firewood from Connecticut," was obdurate. In April, 1784, congress asked the right to regulate foreign commerce for fifteen years in order to be able to retaliate against unfriendly European powers, but this scheme, too, came to naught.

Treaty Obligations

In perhaps no other way did the incompetence of the confederation reveal itself more disgracefully than in its foreign relations. Congress found itself unable to secure the observance of the treaty of peace either as to debts or Tories. The promise that no new legislation should be directed against the loyalists and the congressional recommendation that they should be restored to their rights and privileges were disregarded by the states. When peace came, indignation against those "fawning spaniels," those "tools and minions of Britain," was still running high. "As Hannibal swore never to be at peace with the Romans," said the *Massachusetts Chronicle*, "so let every Whig swear, by his abhorrence of slavery, by liberty and religion, by the shades of departed friends who have fallen in battle, by the ghosts of those of our brethren who have been destroyed on board of prison-ships and in loathsome dungeons, never to be at peace with those fiends the refugees, whose thefts, murders, and treasons have filled the cup of woe." In other newspapers, in hundreds of pamphlets, wherever men congregated, and even from the pulpit such sentiments were expressed. The loyalists who still clung to their homes had lost all political influence and it would have been wiser, as some moderate men advised, to allow them to remain quietly where they were than to drive them forth to found unfriendly colonies in Canada, where, in the war of 1812, they were our most bitter enemies.

1782
1784
The Vials of Wrath

The Tories themselves had foreseen the wrath to come and many had evaded it by leaving with the British troops. In one year, about twenty thousand refugees sailed from New York; those who remained were treated with great severity. It was enacted that no one should vote unless he would take an "iron-clad oath" that he had never aided or abetted the enemy. No Tory who had left the state was to be allowed to return, and a trespass act that contravened both the treaty of peace and the established rules of war was passed—a very carnival of spoliation. In the case of Rutgers *vs.* Waddington, Alexander Hamilton acted as counsel for the defendant and the court nullified the act. The decision aroused great indignation and was condemned by an extra session of the legislature. For a time, Hamilton was so unpopular that the members of a club of politicians seriously considered a proposition for successively challenging him to mortal combat until one of them should kill him. In other states, similar laws were enacted. Where there was no new legislation, popular indignation supplied its place. In South Carolina, for example, prominent loyalists were ordered to leave the country and some were shot and hanged. Throughout the country they were tarred and feathered, ridden on rails and otherwise maltreated. Moderation, however, gradually prevailed and, in most of the states, the confiscatory and other acts were repealed.


ARGUMENTS AND JUDGMENT
OF THE
MAYOR'S COURT
OF THE CITY OF
NEW-YORK,
IN A CAUSE
BETWEEN
ELIZABETH RUTGERS
AND
JOSHUA WADDINGTON.
NEW-YORK:
PRINTED BY SAMUEL LOUDON.
M,DCC,LXXXIV.

Title-page of the Rutgers *vs.* Waddington Case

1783
1790

British Generosity and Justice

Before the change came, from sixty to one hundred thousand Tories left the country. Some of these refugees went to England, but most of them went to Nova Scotia, Upper Canada, and other British possessions north of the United States. In July, 1783, just before the definitive treaty of peace was signed, the king proposed to parliament what was known as the compensation act and commissioners were appointed to inquire into the claims of those who had suffered "in consequence of their loyalty to his Majesty and attachment to the British government." The British government dealt with them in a spirit of generosity as well as of justice, expending at least thirty million dollars in relief —a far more ample provision than congress was able to make for the ragged soldiers of the Revolution. In their Canadian homes, some of the exiles prospered, others failed; in time, some drifted back to the United States. "But many thousands remained, and, when, years later, they had made of the land of their exile a mighty member of the British empire, they began to glory in the days of trial through which they had passed. Today, their descendants, organized as the United Empire Loyalists, count it an honor that their ancestors suffered persecution and exile rather than yield the principle and the ideal of union with Great Britain." But the old animosity is dead. Refugee descendants in "The Dominion" clasp hands with "rebel" offspring in "The States" and together sing their devoted loyalty to the same tune which the former call "God Save the King," and the latter call "America."

A Submarine Railway

When the British evacuated the seaports that they held, they carried away many escaped slaves. The number thus lost was vastly exaggerated and the British were not as culpable as the Americans pretended to believe. The slaves carried away from Savannah and Charleston were taken either before the preliminary treaty was made or before its terms were known in America. At New York, the only port where the British were strictly bound by the terms of the treaty, General Carleton

replied to complaints that any negro entering his lines came presumably as a freeman and that he could not return him. This British policy as to slaves was one excuse for the severity of the American policy as to loyalists. 1783 1787

In May, 1784, Franklin, Adams, and Jefferson were made a special commission to negotiate commercial treaties with European powers. In 1785, a treaty of commerce was made with Prussia, after which and at his own request, Franklin was recalled. He arrived at Philadelphia in September. In February, 1785, Adams was commissioned as the first American minister to England, and, in March, Jefferson was sent as minister to France. Adams was courteously received by George III., but he was totally unable to negotiate a commercial treaty or to secure the surrender of Detroit and the other western posts; aware of the impotence of the American congress, the British ministry would make no concessions. By an order in council, American vessels were excluded from the trade with the British West Indies; direct trade with Great Britain was subject to important restrictions and American commerce was in a worse condition than it was before the war. The weakness of the confederation, however, made reprisal practically impossible. Adams was of the opinion that better conditions could not be secured until congress had supreme power for the regulation of foreign commerce. Gouverneur Morris was sure that British overbearing would do America "more political good than commercial mischief." Diplomatic Relations with England June 1, 1785 July, 1783

Elsewhere, American overtures were received with almost equal contempt. When the Barbary pirates found that American vessels were no longer under the protection of the British navy, they seized the ships and held their crews for ransom. At this time, the corsairs swept the Mediterranean and successfully defied the European powers. When Adams called upon the Tripolitan minister, the official representative of a policy of piracy and blackmail, the oily-tongued barbarian protested his tender-heartedness and left a doubt as to The Barbary Pirates

1783 1787 whether he was saint or devil. Adams described the conference as a mutual showing of civilities "in a strange mixture of Italian, lingua Franca, broken French, and worse English." In honeyed phrase, Adams was informed that "Turkey, Tripoli, Tunis, and Morocco were the sovereigns of the Mediterranean, and that no nation could navigate that sea without a treaty of peace with them." Thirty thousand guineas for each, "plus a little *douceur* of £3,000 for himself," were the terms that the astute Mohammedan finally proposed to Adams and Jefferson who had come over from Paris to join in the negotiations. In later years, Adams did not forget the lesson he then learned as to the need of a navy with which to force the pirates to keep the peace without paying them to do so. In 1787, a treaty was arranged with the sultan of Morocco, but the other Barbary powers continued to be hostile.

Spanish Claims

Equally humiliating was our experience with Spain. That country had been greatly dissatisfied with the southern and western boundaries conceded to the United States by England and was determined to keep the Americans from the Gulf of Mexico. In the summer of 1784, the Spanish government informed congress that England had no right to make such generous cessions and declared that, until the territorial limits were fixed, American vessels attempting to navigate the Mississippi would be seized. In the following year, Don Diego de Gardoqui came to Philadelphia as the first Spanish minister and entered into negotiations with Jay, the secretary for foreign affairs. From the American point of view, the settlement of the question was made more urgent by the rapid flow of settlers into what are now Kentucky and Tennessee. These settlers, desiring an outlet for their crops, were anxious for the navigation of the Mississippi, but, content with possession, Gardoqui was inflexible.

Jay's Proposal

In desperation, Jay suggested to congress that, in consideration of commercial concessions, the United States should give up the navigation of the Mississippi below

her boundaries for twenty-five years. The proposal created a great uproar. The New England states, anxious to secure the commercial concessions and caring "little more about the Mississippi River than about Timbuctoo," favored such a treaty, while the backwoodsmen of Kentucky and Tennessee cared as little about the ocean trade but were not going to "sit still while their corn and their pork were confiscated on the way to New Orleans." The people of the southern states sympathized with this pioneer view and opposed the treaty. Patrick Henry is said to have declared that "he would rather part with the confederation than relinquish the navigation of the Mississippi." Some were in favor of extorting their rights from Spain by force of arms. Others, some of whom had been bribed by Spanish gold, plotted to separate the West from the confederation and to unite it with Spain. Chief among these conspirators was James Wilkinson who, though scarcely thirty years of age, "was already well entered on the career of corruption which won him the well-deserved reputation of being the most finished rascal in American annals." From documents recently discovered in the Spanish archives, it appears that, while on a visit to New Orleans, in 1787, Wilkinson renounced his allegiance to the United States and took an oath as a Spanish subject. The separatist plots failed as did Jay's negotiations. Not until the establishment of a more efficient government was Spain brought to a better mind.

1783 1787

The Spanish Conspiracy

Autograph of James Wilkinson

Foreign complications were, however, less dangerous than were domestic discords. As long as the British fleet and army were to be feared, the states lent some support to the common cause. When that danger disappeared, decentralizing tendencies became more manifest. The people of one state knew little of the lives and thoughts of the dwellers in another, a consequence of the geographical extent of the country and of the

Centrifugal Forces

1783 1787 methods of communication. It took longer for a New Hampshire man to reach Georgia then than it does for him to reach Alaska now. Most of the people lived and died without ever having seen any state other than their own and, in 1786, Madison wrote: "Of the affairs of Georga I know as little as of those of Kamskatska." Typical conditions of life and lines of thought in one colony differed greatly from those in another colony; the Virginia planter was a very different man from the Massachusetts merchant.

European Opinion

Because of these forces, it was generally believed in Europe that there could be no abiding union in America. Frederick the Great thought that a republican government could not endure over such an extent of territory. "As to the future grandeur of America, and its being a rising empire under one head, whether republican or monarchical," wrote Josiah Tucker, dean of Gloucester, "it is one of the idlest and most visionary that ever was conceived by writers of romance. . . . A disunited people till the end of time, suspicious and distrustful of each other, they will be divided and subdivided into little commonwealths or principalities." A few years later, Talleyrand called the United States "a giant without bones."

By Way of Illustration

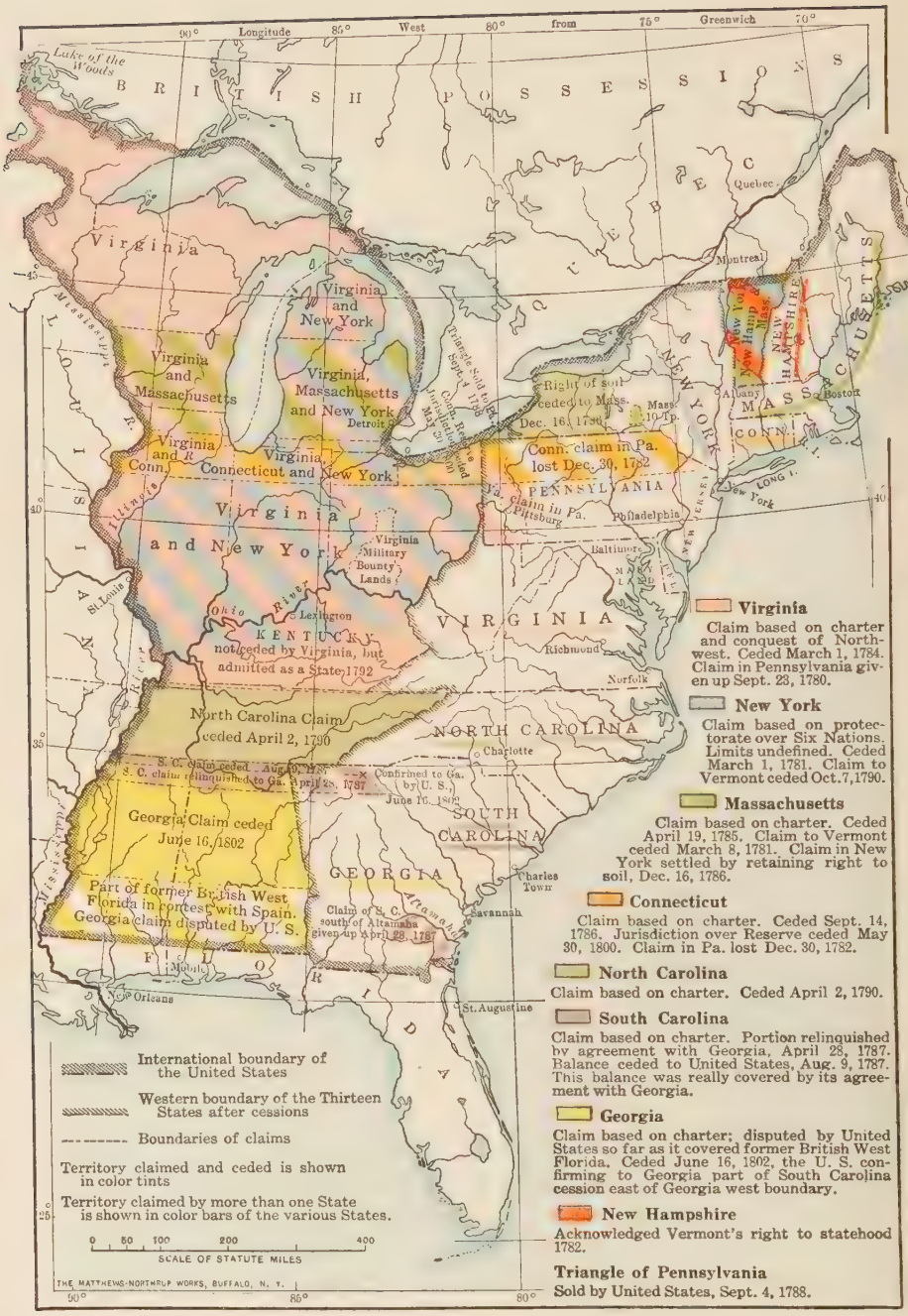
As if to lend color to such opinions, Pennsylvania discriminated against the trade of Delaware and, after the other New England states had adopted retaliatory legislation against British shipping, Connecticut threw open her ports to it and levied duties on imports from Massachusetts. Under the leadership of Governor Clinton, New York levied duties upon goods from New Jersey and Connecticut; New Jersey retaliated by taxing the New York lighthouse on Sandy Hook, and New London business men pledged themselves not to send any firewood or other goods into New York in the year beginning with July, 1787. Between New York and Pennsylvania, New Jersey was compared to a cask tapped at both ends.

Vermont

In 1777, the people of the Green Mountain region

had set up an independent state to be called "New Connecticut alias Vermont." Vermont petitioned that she might be ranked "among the free and independent American states and delegates therefrom admitted to seats in the grand Continental congress," but that "grand" body resolved that the action was "highly subversive of the peace and welfare of the United States." Vermont retorted by denying the right of congress to judge of her jurisdiction and declared that, if refused a place among the states, she would consider herself at liberty to make peace or to accept a cessation of hostilities whenever she saw fit. An armed clash between rival factions was narrowly averted and the old hostilities smoldered on—a source of danger throughout the period of the confederation. 1780 1784 June 2, 1780

In the fall of 1782, a federal court upheld the claims of Pennsylvania to the Wyoming valley and Connecticut acquiesced. In 1784, a force of Pennsylvania militia under an officer named Patterson was sent into the valley, ostensibly to restore order but really to drive out the Connecticut settlers in the interest of a company of land speculators. Patterson affected to discover sedition and evicted about one hundred and fifty families, burned their homes, and forced them to leave the valley. The Connecticut men took up arms, blood was shed, and Patterson was besieged. Then John Armstrong, the author of the *Newburg Letters*, was sent from Philadelphia with a regiment. In the valley he held a conference with the Connecticut men, pledged his honor for their good treatment, and thus persuaded them to lay down their arms. Seventy-six of the victims of misplaced confidence were cast into jail and loaded with pains, indignities, and manacles. The behavior of the Pennsylvania authorities aroused great indignation in Connecticut and war between the two states was threatened. Fortunately, the Pennsylvania council of censors, a peculiar body that assembled once in seven years, condemned Patterson and Armstrong in strong terms and the Penn- Wyoming


Longitude from Greenwich
BRITISH POSSESSIONS
Lake of the Woods
Virginia
Virginia and New York
Virginia and Massachusetts
Virginia, Massachusetts and New York
Virginia and Conn.
Virginia, Connecticut and New York
Virginia and New York
Virginia Military Bounty Lands
Ohio River
Lexington
KENTUCKY not ceded by Virginia, but admitted as a State, 1792
North Carolina Claim ceded April 2, 1790
S. C. claim ceded Aug. 9, 1787
S. C. claim relinquished to Ga. April 28, 1787
Confirmed to Ga. by U. S., June 16, 1802
Georgia Claim ceded June 16, 1802
Part of former British West Florida in contest with Spain. Georgia claim disputed by U. S.
Claim of S. C. south of Altamaha given up April 28, 1787
Right of soil ceded to Mass. Dec. 16, 1730
Mass. 10 Tp.
Conn. claim in Pa. lost Dec. 30, 1782
Claim in Pa.
PENNSYLVANIA
Pittsburg
Philadelphia
Baltimore
VIRGINIA
Richmond
Norfolk
NORTH CAROLINA
Charlotte
SOUTH CAROLINA
GEORGIA
Charles Town
Savannah
Mobile
New Orleans
St. Augustine
Quebec
Montreal
Albany
Boston
NEW YORK
MASSACHUSETTS
CONN.
NEW HAMPSHIRE
New York
LONG I.
Virginia
Claim based on charter and conquest of Northwest. Ceded March 1, 1784. Claim in Pennsylvania given up Sept. 23, 1780.
New York
Claim based on protectorate over Six Nations. Limits undefined. Ceded March 1, 1781. Claim to Vermont ceded Oct. 7, 1790.
Massachusetts
Claim based on charter. Ceded April 19, 1785. Claim to Vermont ceded March 8, 1781. Claim in New York settled by retaining right to soil, Dec. 16, 1786.
Connecticut
Claim based on charter. Ceded Sept. 14, 1786. Jurisdiction over Reserve ceded May 30, 1800. Claim in Pa. lost Dec. 30, 1782.
North Carolina
Claim based on charter. Ceded April 2, 1790.
South Carolina
Claim based on charter. Portion relinquished by agreement with Georgia, April 28, 1787. Balance ceded to United States, Aug. 9, 1787. This balance was really covered by its agreement with Georgia.
Georgia
Claim based on charter; disputed by United States so far as it covered former British West Florida. Ceded June 16, 1802, the U. S. confirming to Georgia part of South Carolina cession east of Georgia west boundary.
New Hampshire
Acknowledged Vermont's right to statehood 1782.
Triangle of Pennsylvania
Sold by United States, Sept. 4, 1788.
International boundary of the United States
Western boundary of the Thirteen States after cessions
Boundaries of claims
Territory claimed and ceded is shown in color tints
Territory claimed by more than one State is shown in color bars of the various States.
0 50 100 200 400
SCALE OF STATUTE MILES
THE MATTHEWS-NORTHRUP WORKS, BUFFALO, N. Y.

MAP OF STATE CLAIMS AND CESSIONS, 1780–1802

(Compiled by David Maydole Matteson, A. M.)

sylvania legislature disavowed their acts and ordered full reparation. 1780 1786

As already related, Maryland long withheld her assent to the articles of confederation because of Virginia's claim to the western lands. In September, 1780, congress urged the cession of such lands for the common benefit of the United States. In March, 1781, New York made such a cession and, in December, 1783, Virginia voted to give up her western empire. In June, 1784, a bill for the cession of what now is Tennessee was introduced in the North Carolina legislature and became a short-lived law. The series of agreements among the competing states and the series of cessions to the general government went on until 1802 when the Georgia cession put an end to the long-continued controversy. State Land Claims and Cessions

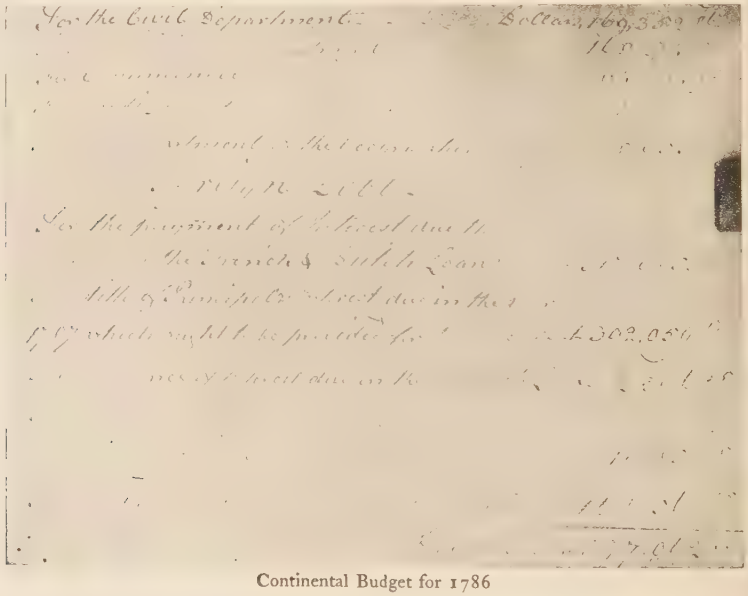
Angered by the cession of the land on which they lived to the national government and by the neglect of North Carolina, the people of the region between the Bald Mountains and the Holston River, our old Watauga friends, set up an independent state under the name of Franklin, framed a constitution, elected John Sevier governor, sent a delegate to congress, and asked to be recognized as a separate state. North Carolina repealed her act of cession and adopted other measures for allaying the dissatisfaction. The citizens of the new state split into factions one of which, in 1786, elected delegates to the North Carolina legislature. Two sets of officers claimed authority within the region and a miniature civil war took place. Sevier was arrested for high treason, but was rescued. Later, he sat in the North Carolina senate and, when Tennessee was admitted to the union, he became its first governor. The State of Franklin 1784-85

Meanwhile, the financial straits of the confederation grew worse and worse. During the period from the first of November to the first of January, 1786, congress received from requisitions less than two and a half million dollars. The amount received in the last fourteen months of that period was less than half a million Federal Revenues $432,897.81

1783 dollars, not enough, said a committee of congress, "for
1787 the bare maintenance of the federal government on the most economical establishment, and in the time of profound peace." The failure of the states to pay was not due to destitution. The truth is that there was a disinclination to pay taxes; the people were not much more willing to support the government that they had created than the one against which they had rebelled. Each state was afraid that it would pay more than its neighbors and each made the delay of its neighbors the excuse for its own delinquency. "I suspect," wrote Jay to Adams in 1786, "that our posterity will read the history of our last four years with much regret."

The Interest Account

The total income of the government came to be insufficient to pay even running expenses. The arrears of



Continental Budget for 1786

interest on the domestic debt increased from about three million dollars in 1784 to more than eleven millions before the end of 1789; in the same time, the principal of the foreign debt increased more than two million dollars and the arrears of interest from sixty thousand to

sixteen hundred thousand dollars. Further loans could not be made at home, but some money was obtained abroad. In 1783, France made final loans of more than a million dollars and, from 1784 to 1789, Dutch bankers advanced more than twice that amount. The proceeds of these loans were used for paying interest on the foreign debt, thus keeping the credit of the government abroad better than it was at home. Some assistance was obtained through the Bank of North America, but, in 1784, its connection with the government practically ceased with the retirement of Morris as superintendent of finance. 1783 1789

Monetary System

At the close of the war, owing to European loans and the expenditures made for the British army, there was probably more specie circulating in America than ever before. But when peace came, a large part of the hard money in the country was sent abroad to pay for European goods for which there was a great demand. This drain, joined with unsatisfactory commercial conditions, caused a scarcity of coin and even the little left was astonishing in its variety—doubloons, moidores, pistoles, gold johanneses, guineas, Spanish dollars (the novelists usually call them "pieces of eight"), and almost every other sort of coin struck in any country in the world, all worn, clipped, plugged, or counterfeited. There were also several kinds of depreciated paper money; in some states, the laws made cattle, land, merchandise, and other commodities legal tender and editors were glad to receive salt pork in payment for their papers. Confusion was worse confounded by the fact that terms differed greatly in different states; thus a dollar was worth five shillings in Georgia, six shillings in New England, seven shillings sixpence in Pennsylvania, eight shillings in North Carolina and New York, and thirty-two shillings sixpence in South Carolina.

A Shameful Business

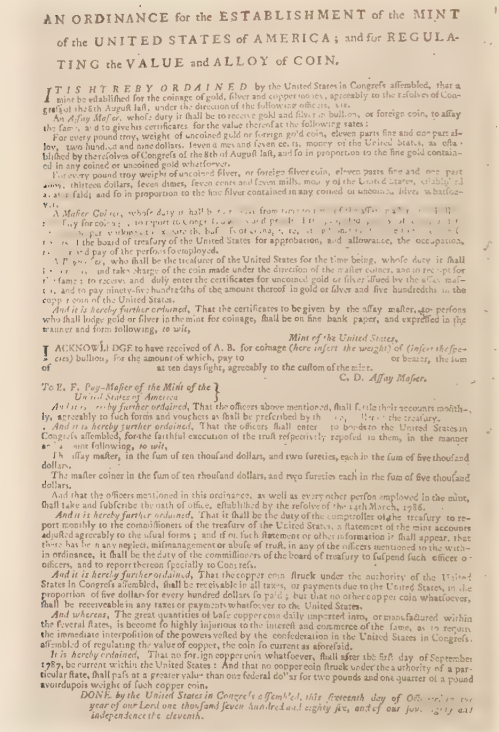
To add still more to the difficulties of the situation, counterfeiting was much practiced, while clipping and shearing good coins was so prevalent that even government agents resorted to it. In 1782, when Timothy

1782 Pickering, the quartermaster-general, was about to pay
1786 out a part of a French subsidy—presumably good coin of full weight—he wrote to another official: "I must trouble you for the necessary apparatus for clipping. 'Tis a shameful business and an unreasonable hardship for a public officer. . . . A pair of good shears, a couple of punches, and a leaden anvil of two or three pounds weight. Will you inquire how the goldsmiths put in their plugs?"

Ten Mills Make One Cent, etc.

In July, 1785, acting upon a report of a committee of which Jefferson was chairman, congress adopted a copper half-penny as the smallest coin, two hundred of which were to be equal to a dollar, and, modifying a plan proposed by Morris, provided that the "several pieces . . . increase in a decimal ratio." A year later, an act was passed providing for an entire national currency, with the mill as the lowest unit of value. Eight different coins, in copper, silver, and gold, were to be struck, but only a few copper cents were put into circulation. Generations of American school boys and business men would have blessed the memory of that committee had it also reformed the systemless system of

August 8, 1786



AN ORDINANCE for the ESTABLISHMENT of the MINT of the UNITED STATES of AMERICA; and for REGULATING the VALUE and ALLOY of COIN.

IT IS HEREBY ORDAINED by the United States in Congress assembled, that a mint be eſtabliſhed for the coinage of gold, ſilver and copper coin, agreeably to the reſolves of Congreſs of the 8th of Auguſt laſt, under the direction of the following officers, viz.

An Aſſay Maſter, whoſe duty it ſhall be to receive gold and ſilver bullion, or foreign coin, to aſſay the ſame, and to give his certificates for the value thereof as the following rates:

For every pound troy, weight of uncoined gold or foreign gold coin, eleven parts fine and one part alloy, two hundred and nine dollars. Seven hundred and ſeventy-ſeven grains of pure gold, or its equivalent in alloy and coin, ſhall be eſtabliſhed by the reſolves of Congreſs of the 8th of Auguſt laſt, and ſo in proportion to the fine gold contained in any coined or uncoined gold whatſoever.

For every pound troy weight of uncoined ſilver, or foreign ſilver coin, eleven parts fine and one part alloy, thirteen dollars, ſeven dimes, ſeven cents and ſeven mills, money of the United States, eſtabliſhed as aforeſaid; and ſo in proportion to the fine ſilver contained in any coined or uncoined ſilver whatſoever.

A Maſter Coiner, whoſe duty it ſhall be [illegible] for the purpoſe of coinage [illegible] for coinage, according to report to Congreſs [illegible] and preſide [illegible] the aſſay maſter [illegible] the board of treaſury of the United States for approbation, and allowance, the occaſions, [illegible] and pay of the perſons ſo employed.

A Treaſurer, who ſhall be the treaſurer of the United States for the time being, whoſe duty it ſhall be [illegible] and take charge of the coin made under the direction of the maſter coiner, and receipt for the ſame; to receive and duly enter the certificates for uncoined gold or ſilver iſſued by the aſſay maſters, and to pay ninety-five hundredths of the amount thereof in gold or ſilver and five hundredths in the copper coin of the United States.

And it is hereby further ordained, That the certificates to be given by the aſſay maſter, to perſons who ſhall lodge gold or ſilver in the mint for coinage, ſhall be on fine bank paper, and expreſſed in the manner and form following, *to wit*,

Mint of the United States.

I ACKNOWLEDGE to have received of A. B. for coinage *(here inſert the weight)* of *(inſert the ſpecies)* bullion, for the amount of which, pay to or bearer, the ſum of as ten days ſight, agreeably to the cuſtom of the mint.

C. D. *Aſſay Maſter.*

To E. F. Pay-Maſter of the Mint of the United States of America.

And it is hereby further ordained, That the officers above mentioned, ſhall render their accounts monthly, agreeably to ſuch forms and vouchers as ſhall be preſcribed by the [illegible] the treaſury.

And it is hereby further ordained, That the officers ſhall enter to bonds to the United States in Congreſs aſſembled, for the faithful execution of the truſt reſpectively repoſed in them, in the manner and form following, *to wit*,

The aſſay maſter, in the ſum of ten thouſand dollars, and two ſureties, each in the ſum of five thouſand dollars.

The maſter coiner in the ſum of ten thouſand dollars, and two ſureties each in the ſum of five thouſand dollars.

And that the officers mentioned in this ordinance, as well as every other perſon employed in the mint, ſhall take and ſubſcribe the oath of office, eſtabliſhed by the reſolves of the 14th March, 1786.

And it is hereby further ordained, That it ſhall be the duty of the comptroller of the treaſury to report monthly to the commiſſioners of the treaſury of the United States, a ſtatement of the mint accounts adjuſted agreeably to the uſual forms; and alſo, ſuch ſtatement or other information as ſhall appear, that there has been any neglect, miſmanagement or abuſe of truſt, in any of the officers mentioned in the ordinance, it ſhall be the duty of the commiſſioners of the board of treaſury to ſuſpend ſuch officer or officers, and to report thereon ſpecially to Congreſs.

And it is hereby further ordained, That the copper coin ſtruck under the authority of the United States in Congreſs aſſembled, ſhall be receivable in all taxes, or payments due to the United States, in the proportion of five dollars for every hundred dollars ſo paid; but that no other copper coin whatſoever, ſhall be receivable in any taxes or payments whatſoever to the United States.

And whereas, The great quantities of baſe copper coin daily imported into, or manufactured within the ſeveral ſtates, is become ſo highly injurious to the intereſt and commerce of the ſame, as to require the immediate interpoſition of the powers veſted by the confederation in the United States in Congreſs aſſembled of regulating the value of copper, the coin ſo current as aforeſaid.

It is hereby ordained, That no foreign copper coin whatſoever, ſhall after the firſt day of September 1789, be current within the United States: And that no copper coin ſtruck under the authority of a particular ſtate, ſhall paſs at a greater value than one federal dollar for two pounds and one quarter of a pound avoirdupois weight of ſuch copper coin.

DONE by the United States in Congreſs aſſembled, this fifteenth day of October in the year of our Lord one thouſand ſeven hundred and eighty ſix, and of our ſovereignty and independence the eleventh.

Ordinance for the Establishment of a Mint

weights and measures by putting it upon a decimal basis. 1785–1787

The lack of money, the distress of debtors many of whom were forced to languish in vile prisons, and a general spirit of unrest and discontent joined to produce, in the years of 1785–86, a wide-spread craze for paper money. A leveling spirit was abroad and there was much preaching about "equality and justice." The movement had a political as well as an economic significance and the contest was fought out in every state. In Rhode Island, New Jersey, New York, Pennsylvania, North Carolina, South Carolina, and Georgia the issue of paper money was authorized. What is Money?

The movement came to its climax in Rhode Island where, in spite of the experience of the merchants and tradesmen of the larger towns, the populace and especially the farmers still believed in "the doctrine of the political transubstantiation of paper into gold and silver," and carried the election in which the question was at issue. In the spring of 1786, the Rhode Island legislature ordered the emission of one hundred thousand paper pounds to be loaned to the freeholders of the state on security of landed property of twice the value received. When Rhode Island merchants refused to accept the "money" at its face value, the legislature decreed that such offenders should be liable to a fine of one hundred pounds and to the loss of rights as freemen. Then the city merchants raised their prices and finally closed their shops and thus brought business to a standstill. The farmers attempted to starve the city dwellers into submission by withholding supplies and riots followed. Finally, the case of a Newport butcher who refused to take the paper except at a heavy discount came to trial before the superior court. In spite of strong popular pressure, the judges held that the force act was unconstitutional. In the following May, four of the five judges were removed. The legislature passed a new forcing act, but the tide had begun to turn and most of the towns refused to ratify it. By Novem- In Rhode Island

September, 1786

1783 ber, the Rhode Island paper dollar passed for only six-
1786 teen cents in coin.

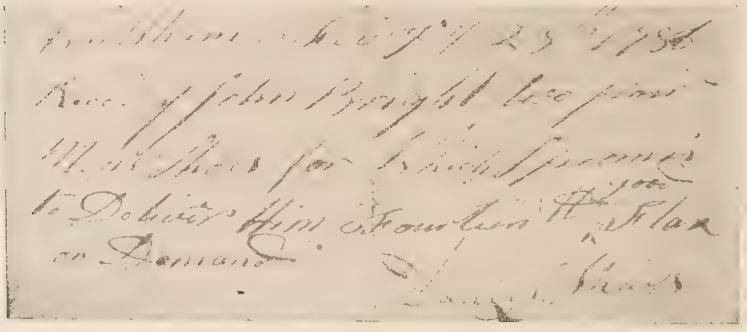
In Massachusetts

In Massachusetts the pressure of debts was greatly felt, especially in the western districts. Taxes were high, money was scarce, and the legislature was petitioned for the popular panacea. Feeling was intense against the rich merchants of Boston, the judges, and most of all against the lawyers who were denounced as blood-suckers, pickpockets, and smooth-tongued rogues. The legislature, however, remorselessly voted down bills for establishing a paper currency, for making real and personal property a legal tender, and, early in July, 1786, adjourned without having even abated the lawyers.

A Premonitory Paroxysm

August-September

In August, a convention of thirty-seven towns in Worcester County and another of fifty towns at Hatfield in Hampshire County voiced the popular demands. At Northampton, Worcester, Concord, and elsewhere the courts were broken up by mobs. One of the leaders of the Concord mob was Job Shattuck who made a fierce harangue in which he declared that the time had come for cancelling all debt. Governor Bowdoin sent six hundred militia to protect the supreme court at Springfield,



Promissory Note signed by Daniel Shays

but an armed mob under the leadership of Daniel Shays, a former captain in the continental army, intimidated the militia and forced the court to adjourn. Fresh riots followed and Shays with a large force of insurgents took possession of Worcester.

Commonwealth of Maſſachuſetts.

By His Excellency

JAMES BOWDOIN, *Eſquire,*

Governour of the Commonwealth of Maſſachuſetts.

AN ADDRESS,

To the good People of the Commonwealth.

A Spirit of diſcontent, originating in ſuppoſed grievances, having, in the courſe of the laſt fall, ſtimulated many of the citizens in ſeveral of the Counties of this Commonwealth, to the commiſſion of acts ſubverſive of government, and of the peace and ſecurity derived from it, I thought it expedient to aſſemble, and accordingly did aſſemble, the General Court for the ſpecial purpoſe of conſidering thoſe grievances, and all complaints whatever, and if poſſible, removing the cauſes of them. A patient and candid attention was paid to the buſineſs of the Seſſion, and every relief given, conſiſtent with the exiſtence of government, and the principles of equal juſtice. Thoſe the Legiſlatures could not infringe, without bringing upon themſelves the deteſtation of mankind, and the frowns of Heaven.

But relief was not the only object, upon which the General Court beſtowed their attention. In tenderneſs to the miſguided, and in hopes of reclaiming the obſtinate, an Act of Indemnity was paſſed for all the outrages, which had been committed againſt law, and the officers of it, upon this mild condition alone, that the perpetrators ſhould return to a due ſubmiſſion to lawful authority; and, as a teſt of their ſincerity, ſhould, before the firſt day of January following, take and ſubſcribe the oaths of allegiance, required by the Conſtitution.

In addition to theſe meaſures, the ſtate of the Treaſury, the expenditure of monies received, the ſituation of our foreign and domeſtic debt, and other important matters, were, in particular detail, communicated to the people, by an Addreſs from the Legiſlature. In that addreſs they were alſo informed, of the dangerous and deſtructive tendency of popular inſurrections; and the Inſurgents were conjured, in the moſt ſerious and perſuaſive manner, to deſiſt from their lawleſs conduct, leſt they ſhould involve themſelves and their country in ruin. But, what have been the conſequences?—The meaſures intended for giving them ſatisfaction and indemnity have been ſpurned at: And *ſince* the publication of thoſe meaſures, the ſame Inſurgents have frequently embodied, and with a military force, repeatedly interrupted the Judicial Courts in the Counties of Hampſhire and Worceſter: which demonſtrates, that the Government is held by them in open defiance; and that the laws are, in thoſe Counties, laid proſtrate.

By a reſolve of the 24th of October, the Legiſlature expreſſed their full confidence, that the Governour would perſevere in the exerciſe of the powers, veſted in him by the Conſtitution, for enforcing due obedience to the authority and laws of government; and for preventing any attempts to interrupt the adminiſtration of law and juſtice; upon which the peace and ſafety of the Commonwealth ſo eſſentially depend.

In the preſent dangerous and critical ſituation of affairs, I feel myſelf conſtrained, by the moſt ſacred obligations of duty, and for the purpoſes intended by the Legiſlature, to call thoſe powers into immediate exerciſe, for the protection of the Commonwealth, againſt the attempts of all perſons who ſhall enterprize its deſtruction, invaſion, detriment or annoyance: And I have accordingly, purſuant to my own ideas of duty, as well as the expectations of the General Court, ordered a part of the Militia to aſſemble in Arms, for the purpoſe of protecting the Judicial Courts next to be holden in the County of Worceſter; of aiding the Civil Magiſtrate to execute the laws; of repelling all Inſurgents againſt the Government; and of apprehending all diſturbers of the public peace.

It is now become evident, that the object of the Inſurgents is to annihilate our preſent happy conſtitution, or to force the General Court into meaſures repugnant to every idea of juſtice, good faith, and national policy: And thoſe who encourage, or in any way aſſiſt them, either individually, or in a corporate capacity, do partake of their guilt; and will be legally reſponſible for it.

Such, on the part of the Inſurgents, in either of thoſe views, muſt be deſtructive of civil liberty, and of the important bleſſings derived from it: and as it would be the reſult of force, undirected by any moral principle, it muſt finally terminate in deſpotiſm—deſpotiſm in the worſt of its forms.

Is then the goodly fabric of freedom, which coſt us ſo much blood and treaſure, ſo ſoon to be thrown into ruins?—Is it to ſtand but juſt long enough, and for no other purpoſe than, to flatter the tyrants of the earth in their darling maxim, *that mankind are not made to be free?*

The preſent is certainly a moſt intereſting period; and if we wiſh to ſupport that goodly fabric, and to avoid domeſtick ſlavery, men of principle, the friends of juſtice and the Conſtitution, muſt now take their ſtations, and unite under the Government in every effort for ſuppreſſing the preſent commotions and all inſurrections whatever, or be infamouſly acceſſory to their own and their country's ruin. But in ſuch an union, ſhould they prove ſo ſtrong in the ſupport of juſtice and the Conſtitution, as the Inſurgents have been obſtinate in trampling them under their feet, the force of government will have ſo decided a ſuperiority as to put an end to the preſent convulſions, and reſtore a regular adminiſtration of law, without the horrors of bloodſhed, and a civil war: which I muſt ardently deprecate, and will ſtrenuouſly endeavour to prevent.

Let the rich, in a ſenſe apparent to all, who underſtand the greateſt of national bleſſings, [illegible] and [illegible] their property, [illegible] authority, [illegible] of the laws, happineſs [illegible] neceſſity, contribute to peace, and unite for ſtrength: or voluntarily and ingloriouſly relinquiſh the bleſſings, without which life would ceaſe to be deſirable; and which, by the laws of God and Nature ought never to be tamely ſurrendered.

What would be the end of ſuch events, is known only to Him, who can open the volume and read the pages of futurity.

Strongly impreſſed with the truth of theſe ideas, I muſt conjure the good people of the Commonwealth, as they value life and the enjoyments of it, as they regard their own characters, and the dignity of human nature, to ſummon up every virtuous principle within them, and to co-operate with Government in every neceſſary exertion, for reſtoring to the Commonwealth that order, harmony and peace, upon which its happineſs and character do eſſentially depend.

GIVEN at the COUNCIL-CHAMBER, in BOSTON, the 12th day of JANUARY, 1787; and in the eleventh year of the INDEPENDENCE of the CONFEDERATED STATES of AMERICA.

James Bowdoin.

By his Excellency's command,

John Avery, jun. Sec.

[Publiſhed by Authority.]

1786
1787
The Shays Rebellion

The state now took decisive measures. The writ of habeas corpus was suspended and a force of four thousand four hundred men was put under the command of General Lincoln. Meanwhile, the rebels had evacuated Worcester and marched to Springfield to secure the arms in the federal arsenal there. General William Shepard with a force of militia successfully defended the place and the insurgents retreated by way of Ludlow and Pelham to Petersham. By an all-night march through the snow, Lincoln surprised them on the early morning of the fourth of February and captured Shays and about one hundred and fifty of his men. Many of the rebels fled to the adjoining states; those who took refuge in Vermont and Rhode Island were protected. Later in the month, Lincoln suppressed disorders in the Hampshire mountain region and the Shays rebellion was at an end. Fourteen of the ringleaders were condemned to death as traitors, but sympathy for them was strong and they were pardoned by Governor Hancock.

January 25, 1787

The Confederation in Contempt

Just before the capture of Shays, when it was proposed to call on congress for assistance, it was argued that it would be incompatible with the dignity of the old Bay State to allow federal troops to set foot upon her soil and the resolution was rejected. Although the arsenal at Springfield belonged to the confederation and the federal government was bound to help the state, congress did not dare to take any open steps towards suppressing the movement. Under pretense that troops were needed for an expedition against the northwestern Indians, congress did, however, in October, 1786, call upon the states for a continental force. It also made the astounding entry in its secret journals that it "would not hazard the perilous step of putting arms into the hands of men whose fidelity must in some degree depend on the faithful payment of their wages, and had not they the fullest confidence . . . of the most liberal exertions of the money holders in the state of Massachusetts and the other states in filling the

loans authorized by the resolve of this date." Confession of impotence could not go further! 1786 1787

The Needed Lesson

The Shays rebellion opened men's eyes to the necessity of a more stable government. From Mount Vernon, Washington wrote: "I feel, my dear General Knox, infinitely more than I can express to you, for the disorders which have arisen in these States. Good God! Who, besides a Tory, could have foreseen, or a Briton predicted them? . . . There are combustibles in every State which a spark might set fire to." "We find that we are men," wrote Knox, " . . . men possessing all the turbulent passions belonging to that animal, and that we must have a government proper and adequate for him." Thus the Shays rebellion served as a needed lesson. Necessity alone could overcome prejudices, hostilities, and other obstacles to a more perfect union. Now, "things had come to such a pass that people of all shades of opinion were beginning to agree upon one thing,—that something must be done and done quickly." Meantime, England was looking on in wonder "that such a miserable shadow had frightened her into such a peace."

December 26, 1786

CHAPTER XIX

OPENING THE WEST; THE ORDINANCE OF 1787

I hear the tread of pioneers
Of nations yet to be,
The first low wash of waves, where soon
Shall roll a human sea.

IN the critical period that we have been studying, the United States acquired a domain in which its thirteen members had a common interest — an event the full significance of which was little understood. Without some knowledge of the story of this ultra-montane empire that England had yielded to the United States, one cannot understand how our federal union came to be.

The Claimant States

As already explained, there were conflicting claims to the territory between the mountains and the Mississippi. By virtue of her ancient charter modified by the existence of New York, Massachusetts claimed what is now the southern part of Michigan and Wisconsin. By the same token, Connecticut claimed a narrow strip along the northern borders of Pennsylvania, Ohio, Indiana, and Illinois. Because of her oft-acknowledged suzerainty over the Iroquois and their vassal tribes, New York claimed everything north of the Ohio River and east of the Miami (Wabash). Building on the famous "west and northwest" clause of her charter of 1609, Virginia claimed nearly all of the uncarved territory and, thanks to the enterprise and genius of George Rogers Clark, held the traditionary nine points in law by actual possession, witnessed by Virginia garrisons at

Cahokia, Kaskaskia, and Vincennes. Then, too, there were the western claims of Georgia and the Carolinas. 1763 1781

A Path-breaking Idea

While war was being waged and in spite of the king's proclamation of 1763, a human tide was pouring into this back country; "the paths that the deer had made over the mountains could not be blocked up. The hunter followed the deer and the settler followed the hunter," as narrated in the tenth chapter of the fifth volume of this history. At the same time, the states that had fixed western boundaries dreaded domination and future tyranny if claims like those of Virginia and New York were maintained. For such reasons, Maryland had held up the articles of confederation until she was assured that the western lands should become common property "subject to be parcelled out by congress into free, convenient, and independent governments." This was a perilous cutting away from the almost universal notion of supreme state sovereignty, the first expression of an idea that has overwhelmed the theory of union on which the articles of confederation were based. The indignation thus aroused was so fierce that some were in favor of dividing Maryland between the neighboring states and erasing her name from the map. But Maryland's attitude was firm and her action came at the decisive moment.

Gift and Promise

Early in 1780, New York agreed to give up her claims to lands west of a north and south line drawn through the western end of Lake Ontario; in September of that year, congress urged similar action upon the other six claimant states and, in October, resolved that all lands thus ceded should be disposed of for the common benefit of the United States and organized into new states that should become "members of the federal union, and have the same rights of sovereignty, freedom and independence as the other states." Connecticut promised a cession of her lands and Virginia expressed a willingness to yield title to her territory north and west of the Ohio River. The new principle had won general acceptance, Maryland entered into the

January, 1781

1782–1802 confederation as already told, and, in 1782, congress accepted the New York cession.

The Old Northwest

Virginia's first offer was accompanied by conditions that congress refused to accept, but, in 1784, with a conditional reservation of military bounty lands between the Scioto and the Little Miami rivers, she ceded her territory north and west of the Ohio River; in 1792, her territory south of the Ohio was admitted to the Union as the state of Kentucky. On the tenth Lexington and Concord anniversary, Massachusetts gave up her claims to lands west of New York. The decision of the federal court concerning the Wyoming region had left soreness in Connecticut, but, in 1786, that state ceded to the general government all of her lands west of a meridian line "one hundred and twenty miles west of the western boundary line of the commonwealth of Pennsylvania," thus reserving to herself what is now the northeastern part of Ohio. In 1800, she surrendered to the United States the jurisdiction over this famous "Western Reserve." South of the Ohio, South Carolina ceded her twelve-mile strip in 1787, North Carolina renewed her cession in 1790, but Georgia did not give up her claim until 1802. By the Fort Stanwix treaty of 1768 and that of October, 1784, the Iroquois alienated all their interests in the Northwest. In January, 1785, United States commissioners concluded a treaty at Fort McIntosh (Beaver, Pennsylvania) with some of the western tribes, the first of a long series by which congress was put in possession of practically all the lands ceded by the claimant states. No other "acts of the Congress of the Confederation evinced so genuine a national spirit as those by which it exceeded its powers and accepted and prepared to govern and dispose of this splendid common property."

April 19, 1785

A Buffer Colony Proposed

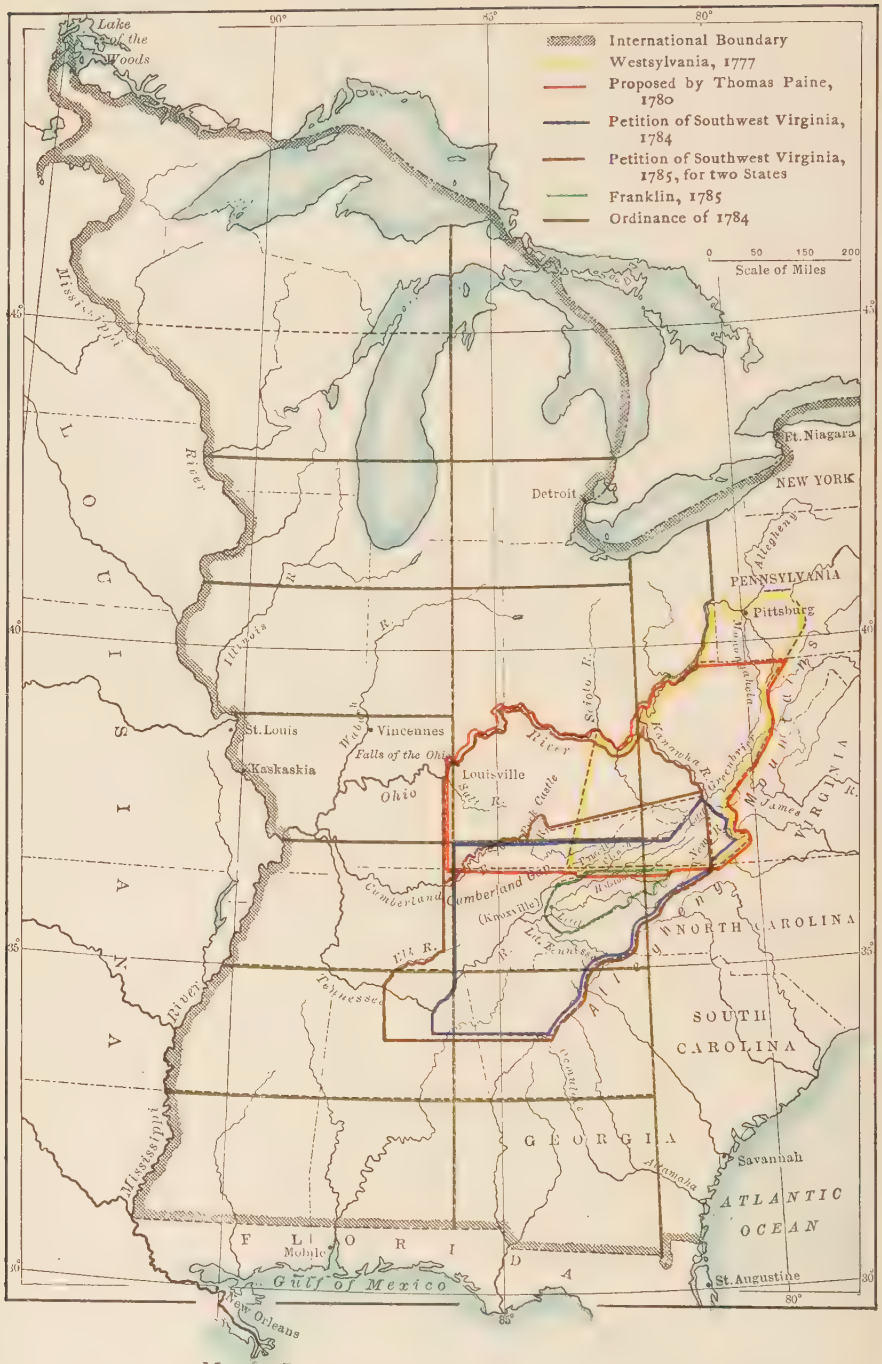
Even before any of the states had surrendered their claims to the western territory, congress offered bounties of land therein to those who would enlist in the Revolutionary army. After the coming of peace, nearly three hundred of the officers in the continental line who

were about to exchange the hardships of war for the sufferings of poverty petitioned congress to mark out a district between Lake Erie and the Ohio River as the seat of a new colony "in time to be admitted one of the confederated States of America" and to set off their bounty lands therein, but nothing came directly of the project. 1783 1784 Newburg, June 16, 1783

In October, 1783, before it received undisputed title to any of the western domain, congress had appointed a committee of which Jefferson was chairman to consider the government of the territory in question. On the day on which Virginia completed her act of cession, Jefferson reported an ordinance providing for the dividing into districts all the western lands "ceded or to be ceded." The boundaries then proposed fix the limits of no commonwealth today and it is with a feeling of relief that we turn from a vain search on a modern map for such state names as Michigania, Chersonesus, Assenisipia, Metropotamia, Illionoia, Polypotamia, and Pelesipia. With the names and boundaries was reported a code of laws for the government of the proposed territories, each of which was to be allowed to form a "temporary government" when it had twenty thousand free inhabitants and might be admitted to the Union by congress when it had as many inhabitants as the least populous of the original thirteen. The new states were to have republican forms of government, pay their respective shares of the public debt, and remain forever component parts of the United States. One of the articles provided that, after the year 1800, "there shall be neither slavery nor involuntary servitude . . . otherwise than in punishment for crimes, whereof the party shall have been duly convicted to have been personally guilty." The ordinance was sent back to the committee, the clause prohibiting slavery was eliminated, the pedantic names were dropped, some of the boundaries were changed, and other amendments were made. The reformed ordinance was adopted on the twenty-third of April, 1784; it did not organize a

The Ordinance of 1784

March 1, 1784



MAP OF PROPOSED STATES IN THE WEST, 1777–1786

(Prepared by David Maydole Matteson, A. M.)

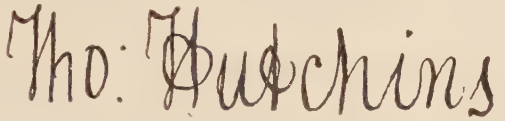
territorial government and soon became a nullity. But the Jeffersonian policy of making slavery sectional and freedom national was not to be permitted thus to die. 1785

Two Basic Ideas

It was not to be expected that England or Spain would long allow two hundred thousand square miles of rich virgin soil to remain unpeopled, and congress was under obligation to provide for settlement. With a great war debt, a worthless currency, and an extinct national credit, the idea of a revenue from the sale of the western lands was "very comforting." But if the ceded domain was to become a source of revenue there was need of a system of surveys unknown in colonial days. Hence the land ordinance of the twentieth of May, 1785, which combined the two ideas of settlement and revenue.

The First United States Land Survey

Thomas Hutchins was then geographer of the United States, an office that came to include the duties of surveyor-general of the public lands. The first survey was to begin at the point where the western boundary of Pennsylvania intersects the northern bank of the Ohio River. From this point, a base line, known as the Geographer's Line, was to be run due west. North and south lines six miles apart were to divide the territory into seven ranges, and east and west lines six miles apart were to divide each range into townships. Each township was to be divided into thirty-six lots (subsequently called sections) each one mile square. Lot sixteen of each township was to be reserved for the maintenance of public schools within that township and reservations were to be made for the Christian Indians and for patriot refugees from Canada and Nova Scotia. The remaining lands were to be sold at auction for not less than one dollar an acre (specie value) and the cost of surveying. Before any lands were sold under this system, congress had authorized the sale of large tracts at much lower prices to land companies or syndicates.



Autograph of Thomas Hutchins

1786 On the thirtieth of September, Hutchins began operations, but not much of the work was completed that year. The ordinance contemplated a survey of seven ranges extending northward from the Ohio River to Lake Erie. The ranges were numbered from east to west and the townships in each range were numbered from south to north. In 1786, Connecticut ceded to the general government her western lands reserving a tract in what is now northeastern Ohio. Owing probably to unsettled questions relating to this Western Reserve, the continental congress, by a resolution dated the ninth of May, 1786, directed that Hutchins and his surveyors "do not proceed further northerly than the east and west line mentioned in the said ordinance," i. e., the Geographer's Line. Hutchins died in 1789, and, under an act of 1796, Rufus Putnam became the first surveyor-general. By item eight of instructions issued by Oliver Wolcott, secretary of the treasury, Putnam was directed to complete the survey of the lands "between the Southern boundary of the Connecticut Claims [the forty-first parallel] & the Seven Ranges of Townships which were surveyed in pursuance of an ordinance of Congress under the late Confederation passed on the 20th of May, 1785." In accordance with these instructions, Putnam had the four tiers of townships between the seven ranges and the military lands on the south and the southern boundary of the Western Reserve on the north, and extending as far westward as the Muskingum River, thirty-eight townships in all, surveyed in 1800. The thirty-six sections in each township of the old seven ranges are numbered consecutively from the southeast corner of the township while those of the townships surveyed by Putnam north of Hutchins's base line are similarly numbered from the northeast corner, a system that is still maintained in the survey of the public lands. The original manuscript returns of this survey are preserved in the general land office at Washington City. They are without date, but, as they mention an act of May,

The Seven Ranges

March 14, 1797

1800, they must have been made subsequent to that date. It has been generally stated by historians that the famous seven ranges extended from the Ohio River to the forty-first parallel, and even some of the veterans of the United States general land office were of the same opinion in April, 1909. 1787

The movement to secure western lands for the officers and soldiers of the Revolution, begun at Newburg in 1783, led, three years later, to the formation of the Ohio Company of Associates, a joint stock venture for the purchase of lands on the Ohio River. The directors were General Samuel H. Parsons of Connecticut, General Rufus Putnam of Massachusetts, and Manasseh Cutler, a Massachusetts doctor of divinity who had "an aptitude for business and was not above turning an honest penny in a land-speculation which bade fair to be remunerative and interesting." In May, 1787, General Parsons presented to congress, then sitting in New York, a memorial in behalf of the company. He was soon succeeded by Doctor Cutler whose ostensible business was to purchase as much land as congress would exchange for one million dollars in certificates of public indebtedness. In fact, the organization meant "the conversion of those old final certificates into future homes, westward of the Ohio," and the formation of a new state. Cutler put up at the "Plow and Harrow" in the Bowery on the fifth of July. He seems to have been as much concerned with an ordinance that congress was to take up on the following day as he was with the Parsons memorial. The Ohio Company of Associates. March 3, 1786

Since the passage of the act of 1784, congress had considered several plans for the government of the western territory. A few days after Doctor Cutler's arrival at New York, a "committee consisting of Mr. Carrington, Mr. Dane, Mr. R. H. Lee, Mr. Kean, and Mr. Smith" reported an ordinance for the government of the territory in question and it was read a first time. It was read a second time on the following day. On the day after that, it was read a third time and passed The Ordinance of 1787. July 11, 1787

1787 with extraordinary unanimity. Each of the eight states then represented, Massachusetts, New York, New Jersey, Delaware, Virginia, North Carolina, South Carolina, and Georgia, voted for it; Mr. Yates of New York was the only delegate who voted against it. This celebrated statute constituted the Northwest territory into one district for temporary government, but reserved to congress the power to divide it into two districts in case such a division should be deemed desirable. Congress was to appoint a governor for three years, a secretary for four years, and three judges to serve during good behavior. As soon as there should be five thousand male citizens of "full age," they were to be given a territorial legislature consisting of the governor, a council of five appointed by congress, and a house of representatives elected by the people. The legislature might choose a delegate to congress who was to enjoy "a right of debating but not of voting during this temporary government."

A Memorable Compact

Then followed certain "articles of compact between the original States and the people and States in the said territory." These articles were forever to "remain unalterable, unless by common consent." The first article declared that "no person shall ever be molested on account of his mode of worship or religious sentiments, in the said territory." The benefits of the writ of habeas corpus, the right of trial by jury, proportionate representation in the legislature, the privileges of the common law, and the sanctity of private contracts, were guaranteed. "Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged." Ultimately the territory was to be erected into not fewer than three nor more than five states, the boundary lines of which were drawn subject to such changes as congress might make. A population of sixty thousand free inhabitants would entitle a state to be admitted into the Union "on an equal footing with the original States in all respects whatever."

Article six stipulated that "There shall be neither slavery nor involuntary servitude in the said territory, otherwise than in the punishment of crimes, whereof the party shall be duly convicted." Thus was the Northwest dedicated to freedom forever. 1787

Its Foundation and Character

The ordinance of 1787 was one of the last acts of the congress of the confederation and one of the few for which that body has received great credit. In the opinion of able constitutional lawyers, congress had no power to pass it. It was not submitted to the states for ratification; it was an act of national sovereignty in the most emphatic sense. Like Jefferson's purchase of Louisiana and Lincoln's emancipation of the slaves, it marked an epoch in American history and was condoned by general consent and popular approval. The ordinance of 1784 divided the western country directly into "states;" the ordinance of 1787 provided a temporary government for the said "territory" and authorized its division into states at some later period. The word "colony" seems to have been carefully avoided; since then, the term "territory" has been applied to this intermediate form of government. The ordinance of 1787 was more than a law or statute; it was a constitution for the Northwest and a model for later legislation. By this time, Jefferson had gone as a minister to France, but

> The nursling growth of Monticello's crest
> Is now the glory of the free Northwest.

The Distribution of Honors

The authorship of the ordinance has occasioned much dispute. The fact is that no one person is entitled to all the credit. It embodied the best parts of that of 1784 and of ordinances subsequently introduced. Much has been claimed for Nathan Dane of Massachusetts, a member of the committee, and it is sure that Doctor Cutler exercised a powerful influence, as did others. As regards the clause prohibiting slavery, that, too, is in doubt. Jefferson's draft of the ordinance of 1784 had contained such a clause; in March, 1785, Rufus King of Massachusetts had introduced a resolu-

1787 tion to the same effect; the first draft of the ordinance of 1787 did not contain the immortal prohibition and, on the second reading, Dane, apparently upon a suggestion from the Virginia delegation, brought it forward. The claim of first place for Doctor Cutler is, however, ably and persistently urged by many, and the last word has not yet been written.

Cheap Land

While the ordinance was under consideration, Cutler had been pushing his negotiations for a land purchase; on the twenty-seventh of July, congress authorized the sale of five million acres in the region north of the Ohio and east of the Scioto. A million and a half acres were for the Ohio company; the remainder was "for a private speculation in which many of the principal characters of America are concerned," in other words, the Scioto company. The Ohio company proved to be an effective agent for good, but the Scioto purchase was disastrous to all actively engaged therein. The total price was three and a half million dollars payable in certificates of public indebtedness that were worth about twelve cents on the dollar—the largest private contract that had ever been made in America.

A Master Lobbyist

General Parsons presented his memorial to congress in May and returned without having accomplished anything. In the following month, Putnam and Cutler,

June 25

the other two directors, met in Boston, and decided that the latter should renew an attempt in which Parsons, and Rufus King, and Jefferson, and Washington, and several committees of congress had conspicuously failed. In his diary, Cutler wrote: "I conversed with General Putnam and settled the principles on which I am to contract with congress for lands on account of the Ohio company." In the two or three days that the ordinance was pending before congress, it was proposed to reject some of the amendments that he had suggested, he does not specify which they were. With worldly wisdom, Cutler promptly "paid his respects to all the members of congress in the city and informed them of his intention to depart that day." He says that they

urged him to "tarry till the next day and they would put by all other business to complete the contract." The diary further tells us that "congress came to the terms stated in our letter without the least variation." In other words, according to this account, Putnam and Cutler were masters of the situation and the Ohio company dictated its own terms. 1787

It has been said that the ordinance of 1787 and the Ohio land sale were parts of one transaction. "The purchase would not have been made without the ordinance, and the ordinance could not have been enacted except as an essential condition of the purchase;" one party demanding a satisfactory government as the condition of buying and the other party granting the ordinance in order that it might sell. The purchase and settlement of this large body of the public lands would make a provision for the veterans of the late war; it would wipe out a large part of the public debt; it would greatly increase the value of the rest of the public domain; it would set up a shield between the frontiers of New York, Pennsylvania, and Virginia and the dangerous Indian tribes of the Northwest; it would secure American occupation of a territory on which two or three European powers had fixed an eager, longing gaze; and it would put away a real apprehension that the western settlers would form a new confederacy and enter into alliance with the power that held the outlet of the Mississippi—an apprehension that Washington had in mind when he gave warning against "an apostate and unnatural connection with any foreign power." By this time, constitution builders were in session and the eyes of the people were focussed on the convention at Philadelphia rather than on the congress at New York. How did it Happen?

At this time, the old Northwest, a territory larger than the present German empire, was practically an unbroken wilderness. The French at Vincennes, Kaskaskia, and elsewhere, numbering probably fewer than five thousand, a few settlers at New Design on the Mississippi, a few Moravian missionaries, a few hunters, Marietta

1787 squatters, and soldiers, were its only civilized inhabitants.
1788 But the dawn of a new day was at hand. By the advice of Thomas Hutchins, the Ohio company selected the valley of the Muskingum, in which Fort Harmar had lately been completed, for its settlement. The advance guard of the colonists reached the Youghiogheny River on the twenty-third of January, 1788, and the second division three weeks later. Here they built boats and, after the breaking up of the ice, descended the Ohio to the Muskingum. On the seventh of April, 1788, General Rufus Putnam, a hero of two wars and now superintendent or general director of the affairs of the Ohio company, with forty-seven others, stepped on shore from the deck of a row-galley, then or later, named the "Mayflower." The forty-eight pioneers at once began the work of felling trees, building houses, and erecting a stockade called "Campus Martius." Before the end of the year, eighty-four other persons arrived. Such were the beginnings of Marietta, named for Marie Antoinette. "No colony in America," wrote Washington, "was ever settled under such favorable auspices as that just commenced at the Muskingum. Information, property, and strength will be its characteristics. I know many of the settlers personally, and there were never men better calculated to promote the welfare of such a community."

Arthur Saint Clair

Civil Government Established

October 5, 1787

Meanwhile, congress had appointed General Arthur Saint Clair governor, and Major Winthrop Sargent, of Massachusetts, secretary of the new territory; General Samuel Holden Parsons of Connecticut,

1787 1790

General James M. Varnum of Rhode Island, and Major John Armstrong of Pennsylvania were chosen territorial judges. Major Armstrong declined the proffered judgeship and, in the following February, Judge John Cleves Symmes of New Jersey was appointed in his stead. Saint Clair reached Marietta on the ninth of July, 1788—too late to participate in a grand celebration of the Fourth. On the twenty-sixth, he proclaimed the establishment of Washington County—the first erected in the Northwest territory. In August, provision was made for establishing courts some of which were formally inaugurated in September. Thus the wheels of government were set in motion and civil life was begun in the old Northwest.

Cincinnati

In the year that the Ohio company made its purchase, another company secured what was called the Miami purchase or Symmes tract, a million acres lying north of the Ohio and between the two Miamis. In the following year, three rival towns were laid out therein—Columbia, Losantiville, and North Bend. In about a year, Governor Saint Clair arrived at Losantiville, organized Hamilton County, and changed the name of the town to Cincinnati in honor of the military society of which he was a prominent member. Says Hinsdale: "Those philosophers who trace all historical phenomena to physical causes may read a suggestive lesson in the history of the Miami purchase. The location of North Bend is as favorable as that of Cincinnati. It was the home of Judge Symmes and the first station of the troops detailed by General Harmar to protect the Miami pioneers." But the removal of the family of he jealous husband of a black-eyed matron from North Bend to the rival town promptly convinced the commanding officer of the troops of the superior military advantages of that location. Hence "the walls of Fort Washington and the ascendancy of the town named for the Cincinnati."

December 24, 1788

January 2, 1790

Troubles with the Indians

Meanwhile, the whole western country had been troubled by a renewal of Indian hostilities. The

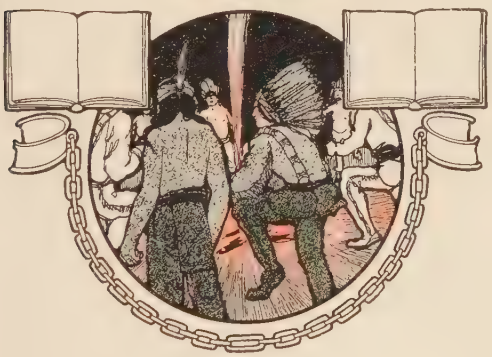
1783 1790 Cherokees had been severely chastised by Sevier in 1780 and 1782. The news that the peace with England had robbed them of their British allies checked the activity of the Delawares, Shawnees, and Wyandots and, in 1785 and 1786, they concluded treaties that were recklessly disregarded by both white men and red men. The continental forces were too weak to afford much protection to the pioneers, and British agents and Tory partisans incited the Indians to new activities. In September, 1786, George Rogers Clark, the wreck of his former self, led a force of twelve hundred men up the Wabash, but, after reaching Vincennes, the troops became mutinous and most of them marched home as a disorderly mob. In October, another force led by Benjamin Logan, a Kentucky pioneer, destroyed some of the Shawnee towns about the head of the Mad River in Ohio—a success that was sullied by the cold-blooded murder of a captive chief by one of Logan's colonels whom Logan did not dare to punish for his infamous deed. Smaller expeditions followed, but the most effective work was doubtless done by Captain Samuel Brady, Simon Kenton, and other celebrated scouts who, alone or with small parties, made forays into the Indian country, the story of which is entertainingly and instructively told by Mr. Roosevelt in his *The Winning of the West*.

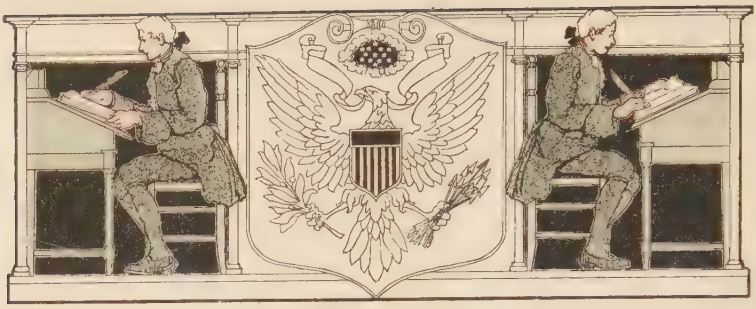
Autograph of Simon Kenton

South of the Ohio

In these years, hundreds of the western settlers were killed by the Indians, but the westward movement was not checked. In the year ending in November, 1788, nearly a thousand boats, bearing about eighteen thousand persons, nearly eight thousand horses, twenty-three hundred cows, and eleven hundred sheep are said to have gone down the Ohio. Other settlers came in over the Wilderness Road and, by 1790, Kentucky had a population of more than seventy thousand. A similar influx was taking place further south. In 1778, a trapper named Spencer raised a crop of corn near

Bledsoe's Lick in middle Tennessee. Early the next year, 1780–1790
James Robertson with a party of eight established a settlement at French Lick on the site of Nashville, and other settlers followed. In May, 1780, these settlers entered into a compact for government. In spite of Indian attacks, other stations were established. On the second of April, 1781, the Cherokees were defeated at the "Battle of the Bluffs" and the existence of middle Tennessee was assured. In 1783, Robertson was elected to the North Carolina legislature; through his activity, the Cumberland settlement was erected into Davidson County, from which, in 1786, Sumner County was set off. The settlers suffered much from the Indian ravages, but, in the summer of 1787, Robertson led a force against a Creek and Cherokee town on the Coldwater, a tributary of the Tennessee, and struck a blow that gave a breathing spell to the new settlements. Among the newcomers of this period was a young lawyer, Andrew Jackson. By 1790, the Southwest territory contained nearly thirty-six thousand inhabitants.





CHAPTER XX

BUILDING THE SHIP

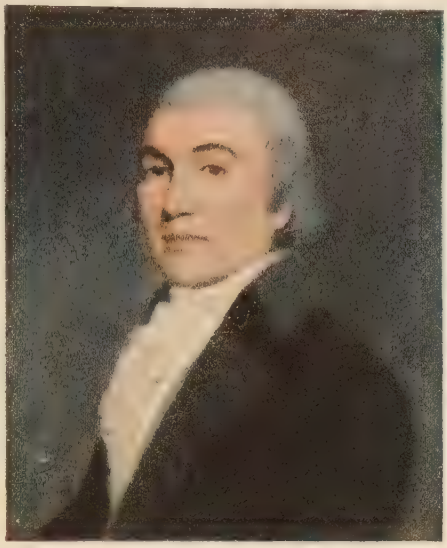
Washington's Opinion

WASHINGTON'S experience with the continental congress had taught him the vital need and value of union; "he felt it as soon as he took command of the army, and it rode like black care behind him from Cambridge to Yorktown." At the close of the war, he forcibly expressed the necessity of a stronger central government. "There are four things which I humbly conceive are essential to the well-being, I may even venture to say to the existence, of the United States, as an independent power." These things were an indissoluble union of the states under one federal head, a regard to public justice, the adoption of a proper peace establishment, and the sinking of local interests and prejudices in a patriotic desire for the welfare of the nation as a whole. In an appeal to the army, he again expressed his opinion that "unless the principles of the federal government were properly supported, and the powers of the Union increased, the honor, dignity, and justice of the nation would be lost." From Mount Vernon, he continued to urge his views in letters to prominent men throughout the country.

Other Opinions

As early as September, 1780, Alexander Hamilton had urged a "solid coercive union." In 1785, Noah Webster wrote an essay in which he asserted that "there must be a supreme power at the head of the union, vested with authority to make laws that respect the states in general and to compel obedience to those

laws." James Madison grew more earnest as time went by and Pelatiah Webster continued to point out the need of a stronger government. In 1784, there was much talk among members of congress in favor of a convention, but nothing came of it. Among the excuses offered was fear of the Cincinnati. "Such a measure," said Rufus King, "would produce thro'out the Union, an exertion of the friends of an Aristocracy to Send members who would promote a change of Government." 1781 1785



Noah Webster
(From portrait by Sharpless in Independence Hall, Philadelphia)

Inland Navigation

While Washington was urging a stronger government, he was also interested in the development and settlement of the West. Almost alone among Americans, he had foreseen the growth and greatness of America and the need of a system of inland navigation. Such a system would benefit the older sections and the new, and serve as a strong bond of union. As early as 1770, he had pointed out the commercial and political importance of easy transit lines, east and west. In 1783, as stated in an earlier chapter, he explored the route later taken by the Erie canal and the New York Central railway. Soon after his return to Mount Vernon, he began energetic efforts to open up a line of communication through the valley of the Potomac, a line later followed by the Chesapeake and Ohio canal and by the Baltimore and Ohio railway. Through his influence, the Virginia legislature took up the ques-

1785 1786 tion and two companies were formed. An agreement with Maryland regarding the navigation of the Chesapeake and the Potomac was necessary and, in the spring of 1785, commissioners from the two states met at Alexandria. The commissioners came to an agreement regarding the common navigation of the bay and the river and requested Pennsylvania to allow the free use of streams within her limits as connecting links between the Ohio and the Potomac. They also recommended uniform import duties, commercial regulations, and currency.

A Commercial Convention

In giving its assent to the recommendations respecting uniform duties, Maryland proposed that Pennsylvania and Delaware should be invited to send commissioners to meet those of Maryland and Virginia and to unite in the same system of commercial policy. Madison persuaded the Virginia legislature to appoint representatives to meet commissioners from all the states that might choose to be represented "to consider how far a uniform system in their commercial regulations may be necessary to their common interest and their permanent harmony." The commissioners were to meet at Annapolis on the first Monday in September, 1786.

January 21, 1786

Hamilton's Address

When the convention met, only Virginia, Delaware, Pennsylvania, New York, and New Jersey were represented. Even Maryland had neglected to appoint delegates; New Hampshire, Massachusetts, Rhode Island, and North Carolina had chosen representatives, but they did not attend the meeting; Connecticut, South Carolina, and Georgia had taken no action in the matter. Under such circumstances, the delegates "did not think it advisable to proceed on the Business of their Mission," but they did adopt an address to the states written by Hamilton and "toned down" by Edmund Randolph. The address called attention to the fact that there were defects in the system of government that rendered the situation "delicate and critical, calling for an exertion of the united Virtue and Wisdom of all the members of the Confederacy." It, therefore, proposed a conven-

September 14, 1786

tion of all the states to meet at Philadelphia on the second Monday in May, 1787, to "devise such further Provisions as shall appear to them necessary to render the Constitution of the Fœderal Government adequate to the exigencies of the Union." Although the commissioners "could not with propriety address these Observations and Sentiments to any but the States they have the honor to Represent, they have nevertheless concluded, from motives of respect, to transmit Copies of this Report, to the United States in Congress Assembled, and to the Executives of the other States." 1786 1787

Congress Anoints its Wounded Pride

In October, the report of the commissioners was brought before congress. Largely through the influence of Rufus King and Nathan Dane, that body refused to sanction the plan, but the Shays rebellion and other happenings of that eventful winter worked a change in the minds of the delegates. Even King threw aside his objections and advocated the measure. On the twenty-first of February, congress issued a call for a convention to meet at the time and place mentioned by the delegates at Annapolis "for the sole and express purpose of revising the articles of confederation, and reporting to Congress and the several Legislatures, such alterations therein, as shall, when agreed to in Congress, and confirmed by the States, render the federal Constitution adequate to the exigencies of Government, and the Preservation of the Union."

State Action

Even before congress took this step, the states had begun to act upon the report of the Annapolis convention. On the sixteenth of October, Virginia authorized the sending of delegates and, on the fourth of December, selected them. On the twenty-fourth of November, New Jersey fell into line and, before February, Pennsylvania, North Carolina, Georgia, and Delaware had decided to send representatives. Maryland did not appoint delegates until the twenty-sixth of May, and New Hampshire not until the twenty-seventh of June. Rhode Island was not represented at all; the stubborn little maid was pronounced "abominable" and it was

1787 proposed to divide her estate between Massachusetts and Connecticut.

The Delegates

Of the fifty-five delegates who attended the convention, twenty-nine were college graduates and nearly all had attained eminence. Washington and Franklin were there, their presence lending dignity and weight to the proceedings. With them were John Dickinson, Robert Morris, Gouverneur Morris, Edmund Randolph, George Mason, John Rutledge, Charles Cotesworth Pinckney, Oliver Ellsworth, James Wilson, Alexander Hamilton, James Madison, and other statesmen of constructive power. But not all the nation's illustrious citizens were delegates: Thomas Jefferson and John Adams held diplomatic posts in Europe, while Richard Henry Lee, Patrick Henry, and Samuel Adams disapproved of the convention and remained at home. Had the author of the declaration of independence been a member of the convention, it is possible that the constitution would have been less strenuous as to the rights of property and more emphatic as to the rights of man.

Charles Cotesworth Pinckney
(From portrait by Sharpless in Independence Hall, Philadelphia)

Hamilton and Madison

Hamilton was only thirty and Madison only thirty-six, but along political lines they were probably the most profound and original thinkers in the company. "Among political writers," says John Fiske, "these two men must be ranked in the same order with Aris-

totle, Montesquieu, and Locke; and the 'Federalist,' their joint production, is the greatest treatise on government that has ever been written." Hamilton had obtained a seat in the New York legislature with the express purpose of opposing the Clinton party and securing representation of the state in the convention. After a hard struggle, he had obtained his own appointment, but his colleagues, Yates and Lansing, were strong states-right men and withdrew from the convention before its labors were completed. While they remained in the convention, Hamilton was unable to carry the vote of his state for the measures that he favored; after their withdrawal, he prudently refrained from taking a too active part and was himself a long time absent. His inclinations were for an aristocratic government. Madison was less brilliant than was Hamilton, but he was a sound thinker and has been called the "Father of the Constitution." 1787

While Waiting

The date set for the convention was Monday, the fourteenth of May, but more than a week went by before seven states were represented. Among the delegates who were on time was Washington whose sense of duty had overcome his reluctance. He well understood the gravity of the work and, in the interval of waiting, appears to have engaged in informal discussion with the other delegates. It was doubtless on one of these occasions that, according to Gouverneur Morris, he said in substance: "It is probable that no plan we propose will be adopted. Perhaps another dreadful conflict is to be sustained. If, to please the people, we offer what we ourselves disapprove, how can we

The State House, Philadelphia, 1776
(From print in the collection of C. S. Keyser)

1787 afterwards defend our work? Let us raise a standard to which the wise and the honest can repair. The event is in the hand of God."

Organization and Records

The first real session of the convention was held in Independence Hall on Friday, the twenty-fifth of May, with twenty-nine delegates representing nine states; the delegates from the other states except Rhode Island appeared later. These men were to lift their country from the quagmire of a league of states and place it on the firm foundation of national sovereignty; they were to perfect in a season of tranquillity a government that had been rudely formed amid the agonies of a revolution. Fortunately for America and the world, the assembled craft were master workmen, capable of the highest of the moral virtues and magnanimous enough to make mutual concessions for the sake of a union that they knew to be their only hope. Washington was unanimously chosen president and Major William Jackson was elected secretary. It was decided that the sessions should be secret, but *Proceedings* were kept; at the close of the convention, the official files were, by direction of the convention, retained by Washington. In 1796, he transmitted them to the secretary of state and, in 1818, they were published; they contain little more than the bare record of meetings, resolutions, and votes. Yates, King, and a few others kept fragmentary notes, but it was not until fifty years later, when Madison's painstaking notes were published, that men knew what was said and done during those momentous sessions.

Many Men of Many Minds

The problems that faced the convention were many and tremendous. There were wide differences of opinion as to what the convention should attempt to do. Should it merely amend the articles of confederation, or should it create an entirely new system? If the latter, what should the new system be? Outside the convention, there was some fear that a monarchy would be established. In England, the hope was expressed that a younger son of George III. might be selected, but there was greater fear lest the crown might be offered to

a French prince. Among the delegates, there seems to have been no disposition to create a monarchy; the unanimity ended there. Some wished a strong national government, others a weak confederacy; some favored aristocracy, others a democracy; and on the details of any system there were probably no two delegates in accord. 1787

Although the convention was authorized merely to propose amendments to the articles of confederation, the ablest delegates were in favor of going beyond their instructions and creating a new government. With this thought and guided "by Madison's indefatigable temper," the Virginia delegates had drawn up a plan for a new constitution which Randolph introduced in an able speech. This "Virginia plan," which became the basis for the convention's work, provided for a bicameral legislature, the members of the first branch of which were to be chosen by the people of the several states, while those of the second branch were to be chosen by the first. This legislature was to exercise the legislative rights vested in the old confederation and all other legislative rights to which the several states were incompetent. State officials were to "be bound by oath to support the articles of Union;" the national authority was to have the power to call out the militia to compel a member of the Union to "fulfil its duty," and the power to veto all laws contravening the "articles of Union." A national executive and a national judiciary were to be established. Republican government was to be guaranteed, new states were to be admitted, and a system of amendment was to be provided. Before the new constitution should become effective, it was to be submitted to state constituent assemblies or special assemblies for acceptance or rejection. The Virginia Plan

May 29

After Pinckney of South Carolina had presented a somewhat similar plan, the Virginia plan was definitely placed before the convention by Randolph in a series of resolutions. The first resolution, to the effect "that a union of the States merely federal will not accomplish the objects proposed by the articles of Confederation," Randolph's Resolutions

May 30

1787 and a second, "that no treaty or treaties among the whole or parts of the States, as individual Sovereignties, would be sufficient," passed without much discussion. The third resolution, to the effect "that a *national* Government ought to be established consisting of a *supreme* Legislative, Executive, and Judiciary," went nearer to the heart of the problem and aroused more opposition, but it was finally passed with only one negative vote, that of Connecticut, the delegation present from New York, Yates and Hamilton, being divided.

A State is a State

The proposition for proportional representation aroused a more strenuous opposition. The question was not new. When the continental congress was considering the articles of confederation, there had been the same difference of opinion; the smaller and landless states like Maryland, Delaware, and New Jersey had insisted upon the same voice in the central government as the great states like Virginia and Massachusetts. The controversy over this subject became the most bitter of all; for the time being, the subject was passed over and the convention considered matters less likely to provoke dangerous differences of opinion.

Afraid to Trust the People

The question of how the members of the national legislature should be chosen brought another controversy. The Shays rebellion, the paper money excesses in Rhode Island, and similar manifestations had produced something of a reaction against a purely popular government. Roger Sherman of Connecticut opposed the plan of electing members by direct vote of the people and insisted that the choice ought to be made by the legislatures; he thought that the people should have as little as possible to do with the government. Elbridge Gerry of Massachusetts thought that the country was suffering from an excess of democracy and said that the people were "the dupes of pretended patriots." Mason admitted that perhaps the country had been too democratic, but feared going to the other extreme; he argued strongly for electing members of the first branch of the legislature by direct vote of the people. Wilson,

Madison, and others spoke in favor of such a system and, by a vote of six to two, two states being divided, it was adopted. Opinions varied so much, however, regarding the election of members of the second branch that the final consideration of the question, like that regarding proportional representation, was postponed. 1787

Coercive Power

On the thirty-first of May, it was agreed that each branch of the proposed legislature should have the right to initiate legislation and that the new government should have all the powers exercised by the confederation. A proposal to add powers in "cases to which the separate states are incompetent" aroused opposition. Randolph and Madison advocated a definite enumeration of powers, but the resolution was adopted in the more general form. Another resolution giving the central legislature power to negative all state laws contravening the "articles of Union" or any treaties made with foreign powers was adopted without opposition. May 31 A proposition to grant the national legislature power to "call forth the force of the Union against any member of the Union failing to fulfil its duty under the articles thereof" aroused more debate. Madison, though eager for an efficient government, opposed force "when applied to the people collectively and not individually." He believed that "the use of force against a State would look more like a declaration of war than an infliction of punishment." He hoped that a system might be framed that would render such a recourse unnecessary and moved that consideration of the clause be postponed, which was agreed to.

A Difficult Problem

By the fifth of June, a large part of the Virginia plan had been adopted with more or less modification. Some of the most crucial matters, however, had been postponed; when they were taken up again, the trouble was renewed. On the sixth, the question of how the members of the first branch of the legislature should be chosen was again considered. Distrust of popular election again revealed itself, but the former decision was allowed to stand. In the debate, Dickinson advo-

1787 cated having one branch chosen by the people and the other by the legislatures, but the latter proposal aroused the apprehension of the large-state party who feared that it would lead to the loss of proportional representation. On the seventh, the compromise received the votes of all the states. On the ninth, the question of proportional representation came up directly. The small-state party seemed determined not to yield, for to yield meant to give up "not only the sovereignty but the dignity and safety of their states." Virginia, Massachusetts, Pennsylvania, North Carolina, South Carolina, and Georgia desired representation in proportion to their importance partly because they desired the greater political influence that it would give to them and partly because they were afraid that the small states might vote away their money. The members of the small-state party, representing Maryland, Delaware, New Jersey, New York, and Connecticut, were influenced by a variety of motives. In general, they were inclined "rather to patch up the old than to create a new system;" their great dread was that "the larger states would devour the small."

Representation in Congress

A violent controversy quickly developed. Wilson of Pennsylvania hinted that, if the small states refused to accept the plan, the large states would form a union of their own. In reply, Paterson declared that New Jersey would "never confederate on the plan before the Committee. She would be swallowed up. He had rather submit to a monarch, to a despot than to such a fate." Wilson retorted that he did not fear the defection of the small states and he objected to any system in which it would require one hundred and fifty men in Pennsylvania to balance fifty in New Jersey. At first, the large-state men triumphed. On the eleventh of June, they carried a motion declaring for "equitable" instead of "equal" representation. A resolution in favor of proportional representation in the second branch, or senate as it was coming to be called, was carried by a majority of one. But the small-state men were deter-

mined not to yield their point and resolved to break up the convention rather than to accept defeat. 1787

The New Jersey Plan

On the fifteenth of June, Paterson, on behalf of his party, brought in a "purely federal" plan that he wished to substitute for the Virginia plan. It provided merely for amending the articles of confederation in order "to render the federal Constitution adequate to the exigencies of Government, and the preservation of the Union." Congress was to be given power to levy import and stamp duties and to regulate foreign and domestic commerce. There were to be a plural executive and a supreme federal judiciary. In case any state, or any body of men in any state, should oppose or prevent the carrying into execution of such acts or treaties, the federal executive was to be "authorized to call forth the powers of the Confederated States, or so much thereof as may be necessary to enforce and compel an Obedience to such Acts, or an observance of such Treaties." The sixth resolution was to the effect "that all Acts of the U. States in Cong.^{s} made by virtue & in pursuance of the powers hereby & by the articles of confederation vested in them, and all Treaties made and ratified under the authority of the U. States shall be the supreme law of the respective States so far forth as those Acts or Treaties shall relate to the said States or their Citizens, and that the Judiciary of the several States shall be bound thereby in their decisions, anything in the respective laws of the Individual States to the contrary notwithstanding." Here was a discovery — "the most important single principle that had yet been presented," says Professor McLaughlin.

Federal or National

Lansing of New York declared that the new plan "sustains the sovereignty of the respective States, that of Mr. Randolph destroys it." "Why," asked Wilson, "should a National government be unpopular? Has it less dignity? Will each Citizen enjoy under it less liberty or protection? Will a Citizen of *Delaware* be degraded by becoming a Citizen of the *United States?* . . . It is from the National Councils that relief

1787 is expected." Randolph denied that the convention
June 17 ought to be strictly bound by its instructions. He "was not scrupulous on the point of power. When the salvation of the Republic was at stake, it would be treason to our trust, not to propose what we found necessary. . . . The true question is whether we shall adhere to the federal plan, or introduce the national plan. The insufficiency of the former has been fully displayed by the trial already made. . . . A nat.[1] Gov.[t] alone, properly constituted, will answer the purpose." After Madison had "fairly riddled" Paterson's plan, the convention, by a vote of seven to three, the Mary-
June 19 land delegation being divided, adhered to the Virginia plan.

Nationality The Virginia plan, as amended by the convention, was then taken up and debated anew. The old differences of opinion reappeared. On the twentieth of June, the word "national" was stricken out—the basis of a claim that the framers did not intend to establish a national government. To this it has been answered that the action of the convention had "no such significance, for the resolution to omit the word was unani-
June 20 mously adopted at a time when the men desiring a national government were in control of the convention; the reason alleged for the omission was not that the purpose of establishing a national government was given up; the men chiefly desiring a national government were evidently not intent on the word, if their object was accomplished; the word was used and the fact dwelt on in debate after the omission of the word from the resolutions."

A Dangerous Rock On the twenty-seventh of June, the question of proportional representation again came up. The small-state men were now ready for a supreme effort. In a vehement speech, Martin of Maryland declared that "the corner-stone of a federal government is equality of votes. . . . I would rather confederate with any single state than submit to the Virginia plan." The contest became so heated that a dissolution of the con-

vention seemed likely. Hamilton and others pointed out that under the proportional system the small states might lose their equality but that their citizens would not lose their liberty. On the question of representation in the first branch of congress, the large-state men were victorious by a vote of six to four, Maryland's delegation being divided. The composition of the second branch was then taken up amid tense excitement. Bedford of Delaware declared that "the Large States dare not dissolve the confederation. If they do, the small ones will find some foreign ally of more honor and good faith, who will take them by the hand and do them justice." Other small-state men argued that under a proportional system the government would become aristocratic. The arguments of the large-state men fell on deaf ears. When the test vote came, the Georgia delegation was divided, Maryland voted against proportional representation, and the result was a tie, five to five. It was practically a defeat of the large-state party.

1787

June 29

July 2

The convention was now at a deadlock. Franklin said that "when a broad table is to be made, and the edges of the planks do not fit, the artist takes a little from both and makes a good joint," and Pinckney proposed a committee consisting of a member from each state to devise and report a compromise. The committee reported in favor of proportional representation in the first branch and of equal representation in the second. A long debate followed, but, on the sixteenth of July, the "Connecticut Compromise," as it is called, was adopted by a vote of five to four, the delegation of Massachusetts being divided. The most serious obstacle to agreement had been put out of the way, but the prospects for final success were not yet bright.

The Connecticut Compromise

July 5

The loss of proportional representation in the senate was not as serious as the large-state men believed and "a few fundamental ideas had been hammered out in debate." One of the most important of these was that the central government and the state governments must be kept separate and distinct from each other, that each

Wilson's Wisdom

1787 must have its separate sphere and separate official machinery. As early as the twenty-fifth of June, Wilson had spoken of the "two-fold relation in which the people would stand" as citizens first of the general government and second as citizens of their individual states. Under such a system, the central government, unlike the old confederation, would deal directly with individuals and the necessity of coercing delinquent states would be almost wholly obviated. In other words, the new constitution was to be not merely a compact between the states as states, but a union of the people of the states.

The Supremacy of the National Authority

The proposition that the central government might negative state laws that conflicted with its authority was given up. In its place, the clause in the New Jersey plan concerning the binding power of federal laws and treaties was adopted. In the completed constitution, this clause runs: "This Constitution and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding"—the central clause of the constitution. "Draw out this particular bolt and the machinery falls to pieces."

The Basis of Representation

Before the work could be completed, other compromises were found necessary. As the antagonisms between the large and the small states disappeared, others arose. A dread of future domination by the West showed itself, and Gerry and King went so far as to introduce a motion to the effect that the number of representatives from new states should never exceed the total number from the original thirteen. The motion was voted down, but a more serious sectional antagonism between the North and the South remained. If representatives in congress were to be apportioned according to population, should all inhabitants or merely all

free inhabitants be counted? Some of the southern delegates and especially those from South Carolina were determined that the slaves should be counted; the northern members were equally determined that they should not be counted. Paterson wanted to know if in Virginia a man had votes in proportion to the number of his slaves and, if not, why should the slaves be represented in the general government. Gouverneur Morris declared that he would never agree "to give such encouragement to the slave-trade as would be given by allowing the southern states a representation for their negroes. He would sooner submit himself to a tax for paying for all the Negroes in the U. States than saddle posterity with such a Constitution." 1787 August 8

With such deep-seated differences of opinion, compromise or failure was inevitable. A possible solution had been suggested four years before by the congress of the confederation which had proposed that, in determining the requisition to be paid by a state, three-fifths of the slaves and all of the white persons should be counted. Williamson of North Carolina moved the adoption of a compromise along this line and it was finally agreed that "Representatives and direct Taxes shall be apportioned among the several States which may be included in this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three-fifths of all other Persons." An Illogical Adjustment

The feeling that slavery was an evil that, in the course of time, would be extinguished was strong even in the South. But the industries of South Carolina and Georgia depended so largely upon a plentiful supply of slaves that their delegates were determined not to accept any provision that did away with the traffic. Pinckney "admitted it to be reasonable that slaves should be dutied like other imports," but said that he should consider a rejection of the clause as an exclusion of South Carolina from the Union. At the same time, the evils The Slave-trade and Navigation Acts

1787 of allowing the states to regulate commerce had become apparent. But the southern states were afraid to grant unreserved power to congress lest the New Englanders gain control of the carrying trade and exact ruinous charges for carrying the southern products to market. To guard against this danger, they insisted that a two-thirds vote in both houses should be made necessary for the passage of navigation acts. To this proposal the New Englanders, "enlightened by their own interests," objected.

Slave-traders and Slave-buyers

Again there was a compromise, or, as Gouverneur Morris called it, a "bargain." Massachusetts, New Hampshire, and Connecticut, some of the citizens of which were not averse to the slave-trade, entered into an agreement with Georgia and South Carolina to the effect that the importation of slaves should not be prohibited prior to 1808 and that congress should have the power to regulate commerce by a mere majority vote, it being agreed that no tax was to be laid on exports. Delegates from the middle states and from Virginia opposed the compromise. Martin of Maryland declared that it would be "inconsistent with the principles of the revolution and dishonorable to the American character to have such a feature in the Constitution." Madison thought that it would be wrong to admit into the constitution "the idea that there could be property in men." Mason of Virginia was especially outspoken. In language such as Theodore Parker might have used, he called the slave-trade an infernal traffic. "Every master of slaves is born a petty tyrant. They bring the judgment of heaven on a Country. As nations cannot be rewarded or punished in the next world they must be in this. By an inevitable chain of causes and effects, providence punishes national sins, by national calamities." But the prophetic words were in vain; the bargain was consummated and, for twenty years, the only check that could be laid upon the importation of slaves was a tax not exceeding ten dollars "for each person," a tax that congress was empowered to levy.

1787 Other Powers and Limitations

The apportionment of other powers between the states and the national government aroused many differences of opinion, but no such determined contests. The power to coin money, to fix a standard of weights and measures, to establish post-offices and post-roads, to grant patents and copyrights, to make war and peace, to carry on diplomatic relations with other nations, to punish piracy, to maintain an army and navy, and to call out the militia for defense against a foreign enemy were conceded to the general government without much opposition. The question as to whether the nation should be allowed to subdue a rebellion in a state called out a more serious difference of opinion. Gouverneur Morris, Pinckney, Langdon, and others wished to confer the power unconditionally; Gerry and others were opposed to "letting loose the myrmidons of the United States on a State without its consent." It was finally agreed that the central government should guarantee to each state a republican form of government and that, on the application of a state legislature or of a state executive if the legislature could not be assembled, it should protect the state against domestic violence.

The Distribution of Powers

Numerous other powers that need not be enumerated here were conferred upon the central government and certain others were expressly denied to it. The principle that was followed in the partition of powers, i.e., that the general government should have certain delegated powers and the states all residual powers, was not definitely enunciated in the constitution. The states themselves, however, were expressly prohibited from exercising certain powers. No state, for example, was to enter into any alliance, treaty, or confederation, to coin money, to emit bills of credit, to pass any bill of attainder or any ex post facto law or any law impairing the obligation of a contract, to grant any title of nobility, or, without the consent of congress, to lay any duties on exports or imports, to keep troops or ships of war in time of peace, to enter into any agreement or compact with another state, or to engage in war unless

1787 actually invaded or in such imminent danger as would not admit of delay.

The Legislative Department

The legislative, executive, and judicial powers were separated as they had been in the state constitutions. Much of the work of organizing the legislative department has already been described. The members of the house of representatives were to be elected by the people each for a term of two years. They were to be apportioned among the several states according to population "which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years and excluding Indians not taxed, three-fifths of all other Persons." This "three-fifths of all other Persons" was used as an euphemism for "slaves" —a word that was carefully excluded from the constitution. The number of representatives was not to exceed one for every thirty thousand inhabitants, but each state was to have at least one representative. An actual enumeration of inhabitants was to be made within three years after the first meeting of congress and one every ten years thereafter. Until the completion of the first enumeration, New Hampshire was to have three representatives, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three. In the senate, each state was to be represented by two members chosen by the legislature for a term of six years. Instead of the vote of a state being cast as a unit, as in the former congresses, each senator was to have one vote.

The Judiciary

The organization of the judiciary occasioned comparatively little trouble and was largely shaped by a committee of detail to which the whole subject was sent late in July and after the general features of the new system had been determined. "The most remarkable and original of all the creations of that wonderful convention" was the supreme court. In Great Britain, a parliamentary law must stand until parliament repeals it;

in the United States, a law passed by both houses of congress and signed by the president becomes null and void when the supreme court, in an individual case, declares the law unconstitutional. This duty of interpreting the constitution in accordance with the general principles of common law has been declared to be "the most noble as it is the most distinctive feature in the government of the United States." 1787

The organization of the executive department occasioned much more perplexity. Among the many wild ideas that were broached was one for "a triple-headed executive, to represent the eastern, middle, and southern states, somewhat as associated Roman emperors at times administered affairs in the different portions of an undivided empire." The Virginia plan had not stated whether the executive should be plural or singular, for the delegates had been unable to agree. Madison had favored a single executive in order to insure efficiency, but Randolph and Mason feared that tyranny might lurk in such an arrangement. When Wilson and Pinckney suggested that the executive power should be given to one man, silence fell upon the convention; no one spoke for several minutes. Sherman expressed the belief that, as the executive was simply an institution for carrying into effect the will of the legislature, such person or persons ought to be appointed by congress and be responsible to that body. But the convention favored having a separation of powers with a system of checks and balances to prevent any one department of the three from becoming too powerful. The first draft of the constitution made no provision for a vice-president, but the danger of a vacancy in the executive office was soon recognized. That the vice-president might be something more than an heir, he was made the presiding officer of the senate, a provision that gave dignity and importance to the office, kept its incumbent in touch with public affairs, gave the senate a chairman who represented no one state, and protected each state against the danger of having half its representation withdrawn

The Executive Department

1787 from active participation in the business of the chamber. After a single chief executive had been agreed upon, the question of how he was to be chosen caused long discussion, and more than thirty votes were taken thereon.

An Electoral College

There was strong opposition to intrusting the choice of the chief executive to the people. "To refer the choice of a proper character for a chief Magistrate to the people would be as unnatural as to refer a trial of colours to a blind man," said Mason, and there were many who agreed with him. There was also much discussion as to the term of office. Should the president serve for one, five, or fifteen years? "Better call it twenty; that's the average reign of princes," said sarcastic Rufus King. On the twenty-sixth of July, the convention voted that the federal executive power should be vested in a single person, "whose stile shall be 'The President of the United States of America.'" He was to be chosen by congress for a term of seven years and was to be ineligible for a second term. Late in August, however, the method of election was

September 4

referred to a committee that reported in favor of choosing the president for a term of four years with no limitation regarding reëlection, the choice to be made by a system of electors. Each state was to appoint, in such manner as its legislature might direct, a number of presidential electors equal to the whole number of its representatives and senators in congress. These electors were to meet in their respective states and vote for two persons, of whom at least one was to be an inhabitant of some other state. The person receiving the largest number of electoral votes was to be president, and the one receiving the second largest number was to be vice-president. If no one received a majority of such votes, the senate was to choose a president from the five highest on the list, a power that was subsequently transferred to the house of representatives. To conciliate the small states, it was agreed that this vote in the house should be by states. In case of failure by the electoral

college, the choice of the vice-president was to be made by the senate. 1787

A Defective Machine

It was supposed that the presidential electors would exercise a wise discretion in their work and choose with greater wisdom than could be expected of the people. "It was desirable," says Hamilton in *The Federalist*, "that the sense of the people should operate in the choice of the person to whom so important a trust was to be confided. . . . It was equally desirable that the immediate election should be made by men capable of analyzing the qualities adapted to the station, and acting under circumstances favourable to the deliberation and to a judicious combination of all the reasons and inducements that were proper to govern their choice. A small number of persons selected by their fellow citizens from the general mass, will be most likely to possess the information and discernment requisite to so complicated an investigation." With the development of political parties, the electors became mere automata. Today, no elector would venture to vote for any other than the candidate nominated by his party. Of all the provisions of the original constitution, the electoral college was probably the most defective; even as amended the system is weak and may again, as in 1876-77, involve the country in grave difficulties.

The Rock Foundation

The electoral system was one of the few things in the constitution that was new. A great English statesman once described the American constitution as "the most wonderful work ever struck off at a given time by the brain and purpose of man," but it was not created out of nothingness. To understand it we must know our colonial history and English history back to magna charta. Its framers used materials that had been tested by use and selected them with rare discrimination. For this work, they were well fitted; for years, they had been "steeped in political theory as their great-grandfathers had been in theology. Time has verified the wisdom of their work. The constitution that they framed, slightly amended, is today the supreme law of the old-

1787 est republic in the world. Its text in full may be found in the appendix to the next volume.

Signing as Witnesses

By the time that the constitution had been given its final form by Gouverneur Morris, some of the delegates had been called away by their private affairs and others had gone home in disgust. Of those who remained, some were dissatisfied with the work and determined to oppose its adoption by the people; no one seemed wholly content. Franklin confessed "that there are several parts of this constitution which I do not approve, but I am not sure I shall never approve them. . . . The older I grow, the more apt I am to doubt my own judgment, and to pay more respect to the judgment of others." That the constitution might go before the people supported by apparent unanimity, he proposed as the form of ratification: "Done in Convention by the unanimous consent of *the States* present the 17th of Sep^{r} &c—In Witness whereof we have hereunto subscribed our names." This equivocal expression secured the signature of Blount of North Carolina who "had declared that he would not sign so as to pledge himself in support of the plan," but Mason, Randolph, and Gerry "dreaded despotism more than anarchy" and refused to sign even as witnesses. Of the seventy-three delegates appointed, fifty-five had been in attendance at one time or another, but only thirty-nine affixed their names to the completed work; seven others are known to have approved it.

Franklin's Prophecy

Considering the magnitude of the work, the conflicting interests of the delegates, and the frequent clashes during the sessions, the approach to unanimity was remarkable and the general feeling among the delegates was one of hopefulness. While the members were signing the document, Franklin, who had proposed a constitution when "Madison was playing in the nursery and Hamilton was not yet born," indulged in a bit of prophetic pleasantry. Looking at the back of the president's armchair on which was emblazoned a half-sun, brilliant with its gilded rays, he "observed to a

few members near him that painters had found it difficult to distinguish in their art a rising from a setting sun. I have, said he, often and often in the course of the Session, and the vicissitudes of my hopes and fears as to its issue, looked at that behind the President without being able to tell whether it was rising or setting: But now at length I have the happiness to know that it is a rising and not a setting Sun." Its work all done, the convention finally adjourned on the seventeenth of September. Two days later, the constitution was printed in the Philadelphia newspapers. 1787

Can the Ship be Launched?

Nevertheless, a hard struggle was to ensue before the constitution, evolved through the anxious toil of that summer, could become fundamental law. The convention had decreed that the document should be submitted to the congress of the confederation and to conventions in the various states for their approval, and "the Ratification of the Conventions of nine States" was to be necessary before "the Establishment of this Constitution between the States so ratifying the same." Would the people look with favor upon the work of the convention or would they refuse to accept it? "There lay the statue completely wrought. Should it lie there like those huge Egyptian columns that were quarried but never raised? Who should touch it with the vital spark? Where was the personal power, so sovereign, so calm, so pure, so acknowledged that like the blessed might which stilled the raging waters of the sea it should pacify the weltering passions of a continent and, raising the motionless form of the nation, send it alive, indomitable, resistless, upon its radiant, beneficient way?"

APPENDIX

ARTICLES OF CONFEDERATION—1777

(See page 160)

To all to whom these Presents shall come, we the undersigned Delegates of the States affixed to our Names, send greeting.

WHEREAS the Delegates of the United States of America in Congress assembled did on the fifteenth day of November in the Year of our Lord One Thousand Seven Hundred and Seventyseven, and in the Second Year of the Independence of America agree to certain articles of Confederation and perpetual Union between the States of Newhampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia in the Words following, viz.

"*Articles of Confederation and perpetual Union between the States of Newhampshire, Massachusetts-bay, Rhodeisland and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.*

ARTICLE I. The stile of this confederacy shall be "The United States of America."

ARTICLE II. Each State retains its sovereignty, freedom and independence, and every power, jurisdiction and right, which is not by this confederation expressly delegated to the United States, in Congress assembled.

ARTICLE III. The said States hereby severally enter into a firm league of friendship with each other, for their common defence, the security of their liberties, and their mutual and general welfare, binding themselves to assist each other, against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever.

ARTICLE IV. The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States, paupers, vagabonds and fugitives from justice excepted, shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restrictions shall not extend so far as to prevent the removal of property imported into any State, to any other State of which the owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any State, on the property of the United States, or either of them.

If any person guilty of, or charged with treason, felony, or other high misdemeanor in any State, shall flee from justice, and be found in any of the United States, he shall upon demand of the Governor or Executive power, of the State from which he fled, be delivered up and removed to the State having jurisdiction of his offence.

Full faith and credit shall be given in each of these States to the records, acts and judicial proceedings of the courts and magistrates of every other State.

ARTICLE V. For the more convenient management of the general interests of the United States, delegates shall be annually appointed in such manner as the legislature of

each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each State, to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the year.

No State shall be represented in Congress by less than two, nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit receives any salary, fees or emolument of any kind.

Each State shall maintain its own delegates in a meeting of the States, and while they act as members of the committee of the States.

In determining questions in the United States, in Congress assembled, each State shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court, or place out of Congress, and the members of Congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from, and attendance on Congress, except for treason, felony, or breach of the peace.

Article VI. No State without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conferrence, agreement, alliance or treaty with any king, prince or state; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign state; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more States shall enter into any treaty, confederation or alliance whatever between them, without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No State shall lay any imposts or duties, which may interfere with any stipulations in treaties, entered into by the United States in Congress assembled, with any king, prince or state, in pursuance of any treaties already proposed by Congress, to the courts of France and Spain.

No vessels of war shall be kept up in time of peace by any State, except such number only, as shall be deemed necessary by the United States in Congress assembled, for the defence of such State, or its trade; nor shall any body of forces be kept up by any State, in time of peace, except such number only, as in the judgment of the United States, in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such State; but every State shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and constantly have ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage.

No State shall engage in any war without the consent of the United States in Congress assembled, unless such State be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of a delay, till the United States in Congress assembled can be consulted: nor shall any State grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled, and then only against the kingdom or state and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such State be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

Article VII. When land-forces are raised by any State for the common defence, all officers of or under the rank of colonel, shall be appointed by the Legislature of each State respectively by whom such forces shall be raised, or in such manner as such State shall direct, and all vacancies shall be filled up by the State which first made the appointment.

Article VIII. All charges of war, and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress

assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States, in proportion to the value of all land within each State, granted to or surveyed for any person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the United States in Congress assembled, shall from time to time direct and appoint.

The taxes for paying that proportion shall be laid and levied by the authority and direction of the Legislatures of the several States within the time agreed upon by the United States in Congress assembled.

Article IX. The United States in Congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article — of sending and receiving ambassadors — entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever — of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States shall be divided or appropriated — of granting letters of marque and reprisal in times of peace — appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of Congress shall be appointed a judge of any of the said courts.

The United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more States concerning boundary, jurisdiction or any other cause whatever; which authority shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent of any State in controversy with another shall present a petition to Congress, stating the matter in question and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other State in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as Congress shall direct, shall in the presence of Congress be drawn out by lot, and the persons whose names shall be so drawn or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons, which Congress shall judge sufficient, or being present shall refuse to strike, the Congress shall proceed to nominate three persons out of each State, and the Secretary of Congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to Congress, and lodged among the acts of Congress for the security of the parties concerned: provided that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the State where the cause shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment, without favour, affection or hope of reward:" provided also that no State shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more States, whose jurisdiction as they may respect such lands, and the States which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall on the petition of either party to the Congress of the United States, be finally determined as near

as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States.

The United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective States — fixing the standard of weights and measures throughout the United States — regulating the trade and managing all affairs with the Indians, not members of any of the States, provided that the legislative right of any State within its own limits be not infringed or violated — establishing and regulating post-offices from one State to another, throughout all the United States, and exacting such postage on the papers passing thro' the same as may be requisite to defray the expenses of the said office — appointing all officers of the land forces, in the service of the United States, excepting regimental officers — appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States — making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States in Congress assembled shall have authority to appoint a committee, to sit in the recess of Congress, to be denominated "a Committee of the States," and to consist of one delegate from each State; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States under their direction — to appoint one of their number to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses — to borrow money, or emit bills on the credit of the United States, transmitting every half year to the respective States an account of the sums of money so borrowed or emitted, — to build and equip a navy — to agree upon the number of land forces, and to make requisitions from each State for its quota, in proportion to the number of white inhabitants in such State; which requisition shall be binding, and thereupon the Legislature of each State shall appoint the regimental officers, raise the men and cloath, arm and equip them in a soldier like manner, at the expense of the United States; and the officers and men so cloathed, armed and equipped shall march to the place appointed, and within the time agreed on by the United States in Congress assembled: but if the United States in Congress assembled shall, on consideration of circumstances judge proper that any State should not raise men, or should raise a smaller number than its quota, and that any other State should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, cloathed, armed and equipped in the same manner as the quota of such State, unless the legislature of such State shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise, officer, cloath, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so cloathed, armed and equipped, shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defence and welfare of the United States, or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine States assent to the same: nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of a majority of the United States in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any place within the United States, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances or military operations, as in their judgment require secresy; and the yeas and nays of the delegates of each State on any question shall be entered on the journal, when it is desired by any delegate; and the delegates of a State, or any of them, at his or their request shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the Legislatures of the several States.

ARTICLE X. The committee of the States, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of nine States, shall from time to time think expedient to vest them with; provided that no power be delegated to the said committee, for the exercise of which, by the articles of confederation, the voice of nine States in the Congress of the United States assembled is requisite.

ARTICLE XI. Canada acceding to this confederation, and joining in the measures of the United States, shall be admitted into, and entitled to all the advantages of this Union: but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.

ARTICLE XII. All bills of credit emitted, monies borrowed and debts contracted by, or under the authority of Congress, before the assembling of the United States, in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States, and the public faith are hereby solemnly pledged.

ARTICLE XIII. Every State shall abide by the determinations of the United States in Congress assembled, on all questions which by this confederation are submitted to them. And the articles of this confederation shall be inviolably observed by every State, and the Union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the Legislatures of every State.

And whereas it has pleased the Great Governor of the world to incline the hearts of the Legislatures we respectively represent in Congress, to approve of, and to authorize us to ratify the said articles of confederation and perpetual union. Know ye that we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and perpetual union, and all and singular the matters and things therein contained: and we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States in Congress assembled, on all questions, which by the said confederation are submitted to them. And that the articles thereof shall be inviolably observed by the States we re[s]pectively represent, and that the Union shall be perpetual.

In witness whereof we have hereunto set our hands in Congress. Done at Philadelphia in the State of Pennsylvania the ninth day of July in the year of our Lord one thousand seven hundred and seventy-eight, and in the third year of the independence of America.

On the part & behalf of the State of New Hampshire.

JOSIAH BARTLETT,
JOHN WENTWORTH, Junr.,
August 8th, 1778.

On the part and behalf of the State of Massachusetts Bay.

JOHN HANCOCK,
SAMUEL ADAMS,
ELBRIDGE GERRY,
FRANCIS DANA,
JAMES LOVELL,
SAMUEL HOLTEN.

On the part and behalf of the State of Rhode Island and Providence Plantations.

WILLIAM ELLERY,
HENRY MARCHANT,
JOHN COLLINS.

On the part and behalf of the State of Connecticut.

ROGER SHERMAN,
SAMUEL HUNTINGTON,
OLIVER WOLCOTT,
TITUS HOSMER,
ANDREW ADAMS.

On the part and behalf of the State of New York.

JAS. DUANE,
FRA. LEWIS,
WM. DUER,
GOUV. MORRIS.

On the part and in behalf of the State of New Jersey, Novr. 26, 1778.

Jno. Witherspoon,
Nath. Scudder.

On the part and behalf of the State of Pennsylvania.

Robt. Morris,
Daniel Roberdeau,
Jona. Bayard Smith,
William Clingan,
Joseph Reed,
22d July, 1778.

On the part & behalf of the State of Delaware.

Tho. M'Kean,
Feby. 12, 1779.
John Dickinson, May 5th, 1779.
Nicholas Van Dyke.

On the part and behalf of the State of Maryland.

John Hanson,
March 1, 1781.
Daniel Carroll,
Mar. 1, 1781.

On the part and behalf of the State of Virginia.

Richard Henry Lee,
John Banister,
Thomas Adams,
Jno. Harvie,
Francis Lightfoot Lee.

On the part and behalf of the State of No. Carolina.

John Penn, July 21, 1778.
Corns. Harnett,
Jno. Williams.

On the part & behalf of the State of South Carolina.

Henry Laurens,
William Henry Drayton,
Jno. Mathews,
Richd. Hutson,
Thos. Heyward, Junr.

On the part & behalf of the State of Georgia.

Jno. Walton,
24th July, 1778.
Edwd. Telfair,
Edwd. Langworthy.

BIBLIOGRAPHICAL APPENDIX

THE following lists are intended to be helpful to the student of this volume by way of suggestion for supplementary reading; they are not offered as complete lists of works consulted by the author. Helpful suggestions are contained in the paragraph introductory to the bibliographical appendix to the first volume of this work. Valuable side-lights on many of the topics herein considered may be found in other general histories of the United States, such as Bancroft's, Hildreth's, etc., some of which are cited in the appendix to the first volume. As the reader can easily find what he wants by reference to the indexes of those works, the following lists omit such references. The general arrangement of this bibliography is similar to that used in the preceding volumes.

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CHAPTER VII — VALLEY FORGE, MONMOUTH, AND NEWPORT

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CHAPTER XIX—OPENING THE WEST; THE ORDINANCE OF 1787

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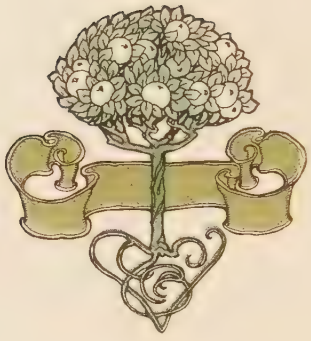

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